

SPECIAL MEETING OF COUNCIL

Notice is hereby given of a
Special Meeting of Council to be held at
Council Chamber, 15 Stead Street, Ballan on
Wednesday 23 March 2016,
commencing at 6:00 p.m.

Members:

Cr. Allan Comrie (Mayor)	East Moorabool Ward
Cr. Paul Tatchell	Central Ward
Cr. David Edwards	East Moorabool Ward
Cr. John Spain	East Moorabool Ward
Cr. Tonia Dudzik	East Moorabool Ward
Cr. Tom Sullivan	West Moorabool Ward
Cr. Pat Toohey	Woodlands Ward

Officers:

Mr. Rob Croxford	Chief Executive Officer
Mr. Phil Jeffrey	General Manager Infrastructure
Mr. Satwinder Sandhu	General Manager Growth and Development
Mr. Danny Colgan	General Manager Community Services

Rob Croxford
Chief Executive Officer

AGENDA

1.	OPENING OF MEETING	3
2.	ACKNOWLEDGEMENT TO COUNTRY	3
3.	PRESENT.....	3
4.	APOLOGIES	3
5.	DISCLOSURE OF CONFLICT OF INTEREST	4
6.	PRESENTATIONS / DEPUTATIONS	6
7.	BUSINESS	7
7.1	<i>Rate Cap Variation Options Community Engagement</i>	<i>7</i>
7.2	<i>Moorabool Shire Council - Election (Caretaker) Period Policy.....</i>	<i>66</i>
8.	FURTHER BUSINESS AS ADMITTED BY UNANIMOUS RESOLUTION OF COUNCIL	88
9.	CLOSED SESSION OF THE MEETING TO THE PUBLIC	89
10.	MEETING CLOSURE	90

1. OPENING OF MEETING

2. ACKNOWLEDGEMENT TO COUNTRY

We respectfully acknowledge the traditional owners of this land, their spirits and ancestors.

3. PRESENT

4. APOLOGIES

5. DISCLOSURE OF CONFLICT OF INTEREST

Under the Local Government Act (1989), the classification of the type of interest giving rise to a conflict is; a direct interest; or an indirect interest (section 77A and 77B). The type of indirect interest specified under Section 78, 78A, 78B, 78C or 78D of the Local Government Act 1989 set out the requirements of a Councillor or member of a Special Committee to disclose any conflicts of interest that the Councillor or member of a Special Committee may have in a matter being or likely to be considered at a meeting of the Council or Committee.

Definitions of the class of the interest are:

- a direct interest
 - (section 77A, 77B)
- an indirect interest (see below)
 - indirect interest by close association (section 78)
 - indirect financial interest (section 78A)
 - indirect interest because of conflicting duty (section 78B)
 - indirect interest because of receipt of gift(s) (section 78C)
 - indirect interest through civil proceedings (section 78D)

Time for Disclosure of Conflicts of Interest

In addition to the Council protocol relating to disclosure at the beginning of the meeting, section 79 of the Local Government Act 1989 (the Act) requires a Councillor to disclose the details, classification and the nature of the conflict of interest immediately at the beginning of the meeting and/or before consideration or discussion of the Item.

Section 79(6) of the Act states:

While the matter is being considered or any vote is taken in relation to the matter, the Councillor or member of a special committee must:

- (a) leave the room and notify the Mayor or the Chairperson of the special committee that he or she is doing so; and
- (b) remain outside the room and any gallery or other area in view of hearing of the room.

The Councillor is to be notified by the Mayor or Chairperson of the special committee that he or she may return to the room after consideration of the matter and all votes on the matter.

There are important reasons for requiring this disclosure immediately before the relevant matter is considered.

- Firstly, members of the public might only be in attendance for part of a meeting and should be able to see that all matters are considered in an appropriately transparent manner.
- Secondly, if conflicts of interest are not disclosed immediately before an item there is a risk that a Councillor who arrives late to a meeting may fail to disclose their conflict of interest and be in breach of the Act.

6. PRESENTATIONS / DEPUTATIONS

The Council has made provision in the business of the Special Meeting of the Council for the making of presentations or deputations to Council in relation to matters presented on the agenda for Council consideration.

Presentations or deputations are required to be conducted in accordance with the requirements contained within the **Presentation/Deputations Protocols and Procedural Guidelines**.

Persons wishing to make a presentation or deputation to the Council on a matter included in the agenda shall inform Council by 1pm on the Friday prior to the meeting by contacting the Chief Executive Officer's Office and registering their name and agenda item being spoken to.

At the meeting the Mayor will invite the persons wishing to make a presentation or delegation to address the Council on the agenda item.

The person making the presentation or deputation is to stand and address the Council on the item. No debate on the item is permitted between the person making the presentation or delegation and the Council.

A maximum of three minutes per presentation or delegation will be allocated. An extension of time may be granted at the discretion of the Mayor.

Councillors, through the Mayor, may ask the person making the presentation or delegation for clarification of matters presented.

The Mayor may direct that a member of the gallery ceases speaking if the above procedure is not followed.

List of Persons making Presentations/Deputations other than in relation to a planning item listed on the agenda:

As listed.

7. BUSINESS

7.1 Rate Cap Variation Options Community Engagement

Introduction

File No.: 07/01/011
Author: Rob Croxford
Chief Executive Rob Croxford

The purpose of this report is to recommend that the Council submit an application to the Essential Services Commission for a rate cap variation of 3.50% (1.00% above the cap) for 2016/2017.

Background

The Council at a Special meeting held on the 20 January 2016 resolved:

- (i) *that the CEO be authorised to advise the Essential Services Commission that Moorabool Shire Council intends to apply for a rate cap variation for the 2016/17 financial year; and*
- (ii) *that Officers present the Draft 2016/17 Annual Budget Timetable of Key Dates for the forthcoming 2016/17 budget to a Special Meeting of Council on 10th February, 2016.*

Following the Special Meeting, the Chief Executive Officer notified the Essential Services Commission (ESC) in writing of Council's intention to apply for a rate cap variation for the 2016/2017 financial year.

The Council at the Special meeting held on the 10 February 2016 resolved to:

1. Endorse the following rate cap options for the purposes of community engagement:

Option A . What Council can deliver under the Minister's Rate Cap of 2.5% in Year 1

Option B . What Council can deliver if it had a rate increase of 4.15% for 2016/17 (inclusive of a 1.65% rate cap variation) in addition to a likely rate increase of 4.15% for a further 3 years.

Option C . What Council can deliver if it had a rate increase of 3.50% for 2016/17 (inclusive of a 1.00% rate cap variation) in addition to a likely rate increase of 3.50% for a further 3 years. This option is also based on other fees and charges increasing under a user-pays+model to be cost reflective including indirect costs.

2. Endorse the Rate Cap Variation Community Engagement Plan; and;
3. Endorse an over budget expenditure of \$25,000 in 2015/2016 for the delivery of the community engagement activities.

The Victorian Minister for Local Government has announced a cap on general rates for Victorian local government of 2.5% (CPI) for the 2016/17 financial year.

Working within the confines of the cap will present significant challenges for the way Council continues its business of delivering high quality services to its residents.

The Council has made significant progress in preparing for a rate capped environment by:

- Reducing operating costs,
- Reducing management costs,
- Reducing overhead costs,
- A program of ongoing Service Reviews,
- Sharing services with other organisations,
- A policy on special charge schemes for some capital works,
- Future consideration of the commercialisation of some aspects of operations,
- Continued use of Business Excellence as a model to drive continuous improvement and review,
- The introduction of an integrated planning tool and model for officers.

Despite these efforts to contain costs, under a rate cap of 2.5% Council is forecast to produce underlying losses over its 10-year financial plan. These losses will impact the level of service Council can afford to deliver in future years resulting in either cuts to services or a deterioration of our asset base.

Three options for the 2016/17 budget have been prepared, including 10 year forecasts under each option which have been the subject of considerable community engagement over the last six weeks.

Community Engagement

The community engagement on the three rate cap options involved the following activities:

- The primary means of engagement was undertaken through a statistically valid telephone survey complemented by other community engagement methods. The telephone survey of 402 people was conducted between the 5-9 March. The key objectives of the research was to:
 - examine resident satisfaction with community and transport infrastructure;
 - the level of service provided by Council in the local area;
 - determine levels of support and preference for the three proposed rate cap variations;
 - understand awareness levels and modes of awareness for the rate cap variations; and
 - identify the key challenges facing the Moorabool Shire Council area.

The telephone survey was also conducted as part of Council's community engagement to inform the preparation of the Council Plan 2017-2021.

- 24 Listening Posts held across the municipality between 1-17 March at the following locations over a total of 62 hours:

Date	Location	Time	Duration
Tuesday, 1 March 2016	Dunnstown Recreation Reserve and Community Centre	9:00am-11:00am	2
Tuesday, 1 March 2016	Bungaree General Store	11:30am-1:30pm	2
Tuesday, 1 March 2016	Gordon Hall	2:00pm-4:00pm	2
Tuesday, 1 March 2016	Lerderderg Library	9:30am-12:00pm	2.5
Wednesday, 2 March 2016	Ballan Library	9:30am-1:00pm	4
Wednesday, 2 March 2016	Blackwood Hall	1:30pm-3:30pm	2
Thursday, 3 March 2016	BM Shopping Centre	10:00am-2:00pm	4
Friday, 4 March 2016	Ballan Library	1:00pm-5:00pm	4
Saturday, 5 March 2016	Lerderderg Library	12:00pm-2:30pm	2.5
Tuesday, 8 March 2016	Dunnstown Recreation Reserve and Community Centre	9:00am-11:00am	2
Tuesday, 8 March 2016	Bungaree General Store	11:30am-1:30pm	2
Tuesday, 8 March 2016	Gordon Hall	2:00pm-4:00pm	2
Tuesday, 8 March 2016	Lerderderg Library	9:30am-12:00pm	2.5
Wednesday, 9 March 2016	Blackwood Hall	1:30pm-3:30pm	2
Thursday, 10 March 2016	BM Shopping Centre	10:00am-2:00pm	4
Friday, 11 March 2016	Ballan Library	1:00pm-5:00pm	4
Tuesday, 15 March 2016	Dunnstown Recreation Reserve and Community Centre	9:00am-11:00am	2
Tuesday, 15 March 2016	Bungaree General Store	11:30am-1:30pm	2
Tuesday, 15 March 2016	Gordon Hall	2:00pm-4:00pm	2
Tuesday, 15 March 2016	Lerderderg Library	9:30am-12:00pm	2.5
Wednesday, 16 March 2016	Ballan Library	9:30am-1:00pm	4
Wednesday, 16 March 2016	Blackwood Hall	1:30pm-3:30pm	2
Thursday, 17 March 2016	BM Shopping Centre	10:00am-2:00pm	4

- Community members were provided with information and the opportunity to provide feedback on their preferred options through a poll on Have Your Say . Council's On Line Engagement Portal. Community members were also provided with the opportunity to lodge written submissions in relation to the proposal to seek a higher rate cap.
- A letter from the Chief Executive Officer was sent to all households and non-resident ratepayers providing information on Council's budget, proposed application for a higher rate cap, and encouraging community members participation in the community engagement. To facilitate this, a reply paid postcard was distributed with the letter to provide people with an opportunity to provide feedback. Approximately 17,000 letters were distributed.
- Information on the Council's Budget and proposed application for higher rate cap was promoted in the Moorabool News; posted on Council's website; Have Your Say, Facebook Page and Twitter.
- Notification about the telephone survey was promoted in the Moorabool News; posted on Council's website; Facebook Page and Twitter.
- A Media Release was issued providing information on the Council's budget; application for a higher rate cap; and community engagement activities including the telephone survey.
- A set of Frequently Asked Questions (FAQs) was also prepared and made available on Council's website.

It was originally proposed that focus groups also be conducted. However, on the advice of the research company commissioned to undertake the telephone survey, focus groups were not conducted. The advice from the Research Company was that in their extensive experience in NSW, undertaking focus group on identified rate options generally didn't yield any significant information as answers to the questions are generally closed (i.e. yes or no answers with no further discussion).

The following section provides a summary of the results of the community engagement with details contained in the attachments.

1. Telephone Survey

- Residents were most supportive of Option B with 61% of residents somewhat supportive to very supportive of this option compared with 57% of residents for both Option A and Option C respectively.
- When asked to indicate their preference, 64% indicated an option that included a rate variation i.e. Options B and C:
 - 37% preferred Option B believing it was important to maintain infrastructure i.e. roads and necessary to invest into the future of Moorabool
 - 36% preferred Option A as their first preference, primarily because of affordability questioning Council's use of funds and poor/uneven service provision

- The remaining 27% preferred Option C, also equally placing importance on infrastructure and the future investment of Moorabool as well as considering the user pay principle to be fairer and equitable.
- 44% of residents stated they had prior knowledge of Council exploring community feelings towards a Rate Cap Variation, with half of these residents becoming aware through newspaper articles. Awareness was higher amongst Residents of Bacchus Marsh Planning Area, whilst residents of the West Moorabool Planning Region were significantly less likely to be aware.
- Traffic congestion was deemed the key challenge for a quarter of residents, followed by road maintenance (13%), and infrastructure planning (11%).
- Overall, 66% of residents were at least somewhat satisfied with the level of community and transport infrastructure provided by Council. Residents aged 18-34 were significantly more satisfied, while those aged 50-64, and residents of the West Moorabool Planning Region were significantly less satisfied.
- Three quarters of residents rated the level of service provided by Council in the local area at least somewhat satisfactory. Residents aged 18-34 and non-ratepayers were significantly more satisfied with Council, while residents aged 50-64 were significantly less satisfied with the level of service.

The report from Micromex Research on the telephone survey is contained in **Attachment 7.1(a)**.

2. Listening Posts

A total of 51 responses were received at the listening posts in respect of the three rate options in the reply paid vote card.

Option	Response	Percentage
A	14	27%
B	10	20%
C	27	53%
Total	51	100%

53% of respondents preferred option C, followed by option A and B.

3. Reply Paid Vote card received in the mail

A total of 462 responses were received in the mail in respect of the three rate options in the reply paid vote card.

Option	Response	Percentage
A	296	64%
B	40	9%
C	126	27%
Total	462	100%

Just under two-thirds (64%) of respondents preferred option A followed by 27% for Option C.

4. Written Submissions received in the Mail

A summary of the number of people that attended the listening posts; verbal comments received and written responses is contained in **Attachment 7.1(b)**.

5. Have Your Say

A total of 107 responses were received in response to the poll on the three rate options.

Option	Response	Percentage
A	78	72.9%
B	13	12.1%
C	16	15.0%
Total	107	100%

Just under three-quarters (72.9%) of respondents preferred option A.

Written responses were received through Have Your Say and are contained in **Attachment 7.1(c)**.

Proposal

The primary means of engagement was undertaken through a statistically valid telephone survey complemented by other community engagement methods.

Nearly two thirds of the residents (61%) were ~~somewhat supportive~~to ~~very supportive~~of ~~Option B~~ Over half of the residents (57%) were at least ~~somewhat supportive~~of Council proceeding with ~~Option C~~

When asked to indicate their preference, 64% indicated an option that included a rate variation i.e. Options B and C: 37% preferred ~~Option B~~ believing it was ~~important~~ to maintain infrastructure i.e. roads and ~~necessary~~ to invest into the future of Moorabool and 27% preferred ~~Option C~~ also equally placing importance on ~~infrastructure~~ and ~~the future investment~~ of Moorabool as well as considering the ~~user pay~~ principle to be fairer and equitable. However, over a third of respondents (36%) preferred Option A . the rate cap set by the State Government primarily because of ~~affordability~~ ~~questioning Council's~~ use of funds and ~~poor/uneven~~ service provision.'

The feedback from the listening posts; Have Your Say; Vote Cards and written comments/submissions reflect a broad response across the different options. The majority of respondents (53%) at the listening posts preferred option C; the majority of respondents (64%) completing the Vote Cards favoured option A; and just under three quarters (72.9%) of respondents through Have Your Say preferred Option A. The written responses contained a wide variety of feedback on the options and other ideas including that there should be no rate increase.

Under a rate capped environment, there is a greater likelihood that council will experience some form of financial distress in the medium to long term. With rates capped at 2.5% annually, Council is forecast to generate accumulated underlying deficits in excess of \$12m over the next 10 years. As a result Council will need to reduce services over time and/or reduce the level of investment in Infrastructure in line with its reduced revenue generating capacity.

The Council has notified the ESC of its intention to submit an application for a higher rate cap. Acknowledging the broad response to the community engagement, it is recommended that the Council submit an application to the Essential Services Commission for a rate cap variation of 3.50% (1.0% above the cap) for 2016/2017, based on other fees and charges increasing under a user-pays model to be cost reflective including indirect costs.

The broad rationale for a 3.5% rate cap is based primarily on the outcome of the telephone survey. When asked to indicate their preference, 64% indicated an option that included a rate variation i.e. either Options B or C. Notwithstanding this, 36% of respondents indicated a preference for Option A or for council to work within a 2.5% rate cap. For this reason, it is recommended that Option C (1.00% rate cap variation) can be seen as a logical compromise between Option A (no rate cap variation) and Option B (1.65% rate cap variation).

Policy Implications

The 2013 . 2017 Council Plan provides as follows:

Key Result Area

Objective	Sound, long term financial management
Strategy	Develop and maintain a long term financial planning, management and reporting system, which ensures resources to deliver services and manage Council's assets.

The proposal is consistent with the 2013 . 2017 Council Plan.

Financial Implications

The conduct of the telephone survey cost \$20,000; with printing and distribution of information costing a further \$8,000. There was also indirect costs through the allocation of existing staff hours and resources.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Financial . Rates Capped at CPI.	Increase risk of Council experiencing some form of financial distress in the medium to long term.	High	Seek a rate cap variation. Cost control. Service reviews. Fees & Charges increases. Shared services. Planning tools.

Community Engagement Strategy

Considerable community engagement has been undertaken to seek community feedback on the three rate options being considered by the Council. It is proposed that the outcomes of the community engagement and Council's resolution be communicated through a media release; information on Council's website; Facebook; Twitter and Moorabool Matters.

Victorian Charter of Human Rights and Responsibilities Act 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

Officer's Declaration of Conflict of Interests

Under section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Author – Rob Croxford

In providing this advice to Council as the Author, I have no interests to disclose in this report.

Conclusion

The Victorian Minister for Local Government has announced a cap on general rates for Victorian local government of 2.5% (CPI) for the 2016/17 financial year.

Working within the confines of the cap will present significant challenges for the way Council continues its business of delivering high quality services to its residents.

Considerable community engagement has been undertaken on three rate cap options endorsed by the council for the purpose of community engagement.

The principal means of engagement was through a telephone survey of 402 residents.

The results of the telephone survey report that when asked to indicate their preference, 64% indicated an option that included a rate variation i.e. Options B and C, with 37% preferring Option B believing it was important to maintain infrastructure i.e. roads and necessary to invest into the future of Moorabool with 27% preferring Option C placing importance on infrastructure and the future investment of Moorabool as well as considering the user pay principle to be fairer and equitable.

The feedback from the listening posts; Have Your Say; Vote Cards and written comments/submissions reflect a broad response across the different options.


Council has notified the ESC of its intention to submit an application for a higher rate cap. Acknowledging the broad response to the community engagement, it is recommended that the Council submit an application to the Essential Services Commission for a rate cap variation of 3.50% (1.0% above the cap) for 2016/2017, based on other fees and charges increasing under a user-pays model to be cost reflective including indirect costs.

Recommendation:

That the Council submit an application to the Essential Services Commission for a rate cap variation of 3.50% (1.0% above the cap) for 2016/2017 based on other fees and charges increasing under a “user-pays” model to be cost reflective including indirect costs.

Report Authorisation

Authorised by:

Name: Rob Croxford 
Title: Chief Executive Officer
Date: Friday, 18 March 2016.

Attachment - Item 7.1(a)

Moorabool Shire Council

Community Survey – Rate Cap Variation

Prepared by: Micromex Research

Date: March 2016



Background



Background and Context

The State Government has recently introduced rate capping for local councils.

Council is facing the challenge of balancing community expectations with future financial sustainability, and will soon be experiencing a growing gap between the cost of providing services and facilities and the available funding to meet those costs.

Council now needs to make some decisions about how to best meet the expectations of the community, whilst properly planning for the future.

To determine the best course of action for the future, the community is being asked to have their say on the three funding options being put forward by Council.

One of the options being considered by the Council includes increasing fees to achieve full cost recovery – in effect, the application of a user pays principle.

Council has identified 3 potential options to deal with this growing funding gap. Those three options are:

Option A – Rate increase of 2.5%, the rate cap for 2016/17, and the rate which future increases are based upon. This option will result in the eventual cuts to services and capital works to ensure Council's financial stability

Option B – Rate increase of 4.15% for 2016/2017, likely to increase at the same level for the following 3 years and enable Council to maintain current levels of service and capital works

Option C – Rate increase of 3.5% for 2016/2017, likely to increase at the same level for the following 3 years. Council fees & charges will also increase to achieve full cost recovery and enable Council to maintain current levels of service and capital works

The key objectives of this research are to;

- Examine resident satisfaction with community and transport infrastructure, and the level of service provided by Council in the local area
- Determine levels of support and preference for the three proposed rate cap variations
- Understand awareness levels and modes of awareness for the rate cap variations
- Identify the key challenges facing the Moorabool Shire Council area



Methodology & Sample

Data collection

Micromex Research, together with Moorabool Shire Council, developed the questionnaire.

Data collection period

Telephone interviewing (CATI) was conducted during the period 5th – 9th March 2016.

Sample

A total of 402 resident interviews was completed.

389 of the 402 respondents were selected by means of a computer based random selection process using the electronic White Pages. In addition to this, 13 respondents were number harvested via face-to-face intercept at a number of areas around the Moorabool LGA, i.e. Lerderderg Library and Village Shopping Centre in the Main Street of Bacchus Marsh, and the IGA, Inglis Street Ballan.

A sample size of 402 residents provides a maximum sampling error of plus or minus 4.9 % at 95% confidence. This means that if the survey was replicated with a new universe of n=402 residents, 19 times out of 20 we would expect to see the same results, i.e. +/- 4.9%.

For the survey under discussion the greatest margin of error is 4.9%. This means, for example that an answer 'yes' (50%) to a question could vary from 45.1% to 54.9%. As the raw data has been weighted to reflect the real community profile of Moorabool, the outcomes reported here reflect an 'effective sample size'; that is, the weighted data provides outcomes with the same level of confidence as unweighted data of a different sample size. In some cases, this effective sample size may be smaller than the true number of surveys conducted.

The sample was weighted by age and gender to reflect the 2011 ABS census data.



Methodology & Sample

Interviewing

Interviewing was conducted in accordance with the AMSRS Code of Professional Conduct.

Data analysis

The data within this report was analysed using Q Professional.

Percentages

All percentages are calculated to the nearest whole number and therefore the total may not exactly equal 100%.

Word Frequency Tagging

Verbatim responses for open questions were collated and entered into analytical software. This analysis 'counts' the number of times a particular word or phrase appears and, based on the frequency of that word or phrase, a font size is generated. The larger the font, the more frequently the word or sentiment is mentioned.



Sample Profile

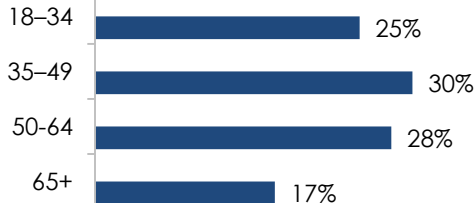


Sample Profile

Gender



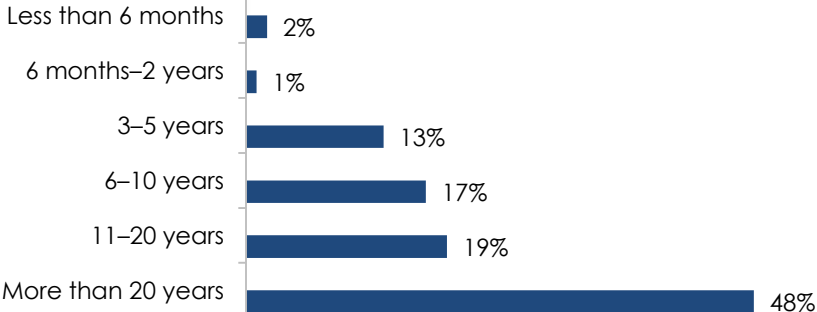
Age



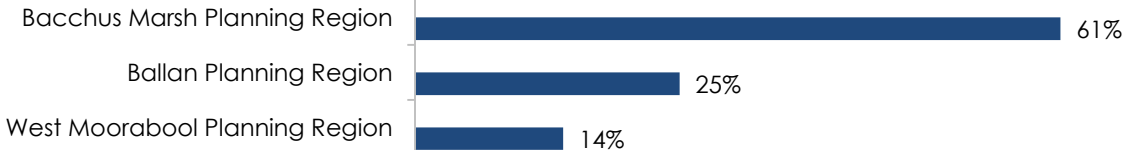
Ratepayer status



Time lived in area



Area lived in



0% 20% 40% 60% 80% 100%

The sample was weighted by age and gender to reflect the 2011 ABS community profile of Moorabool Shire Council



Context



Key Challenges

Q2. What is the key challenge you feel the local area is currently facing?

“Limited youth services and facilities in Moorabool”

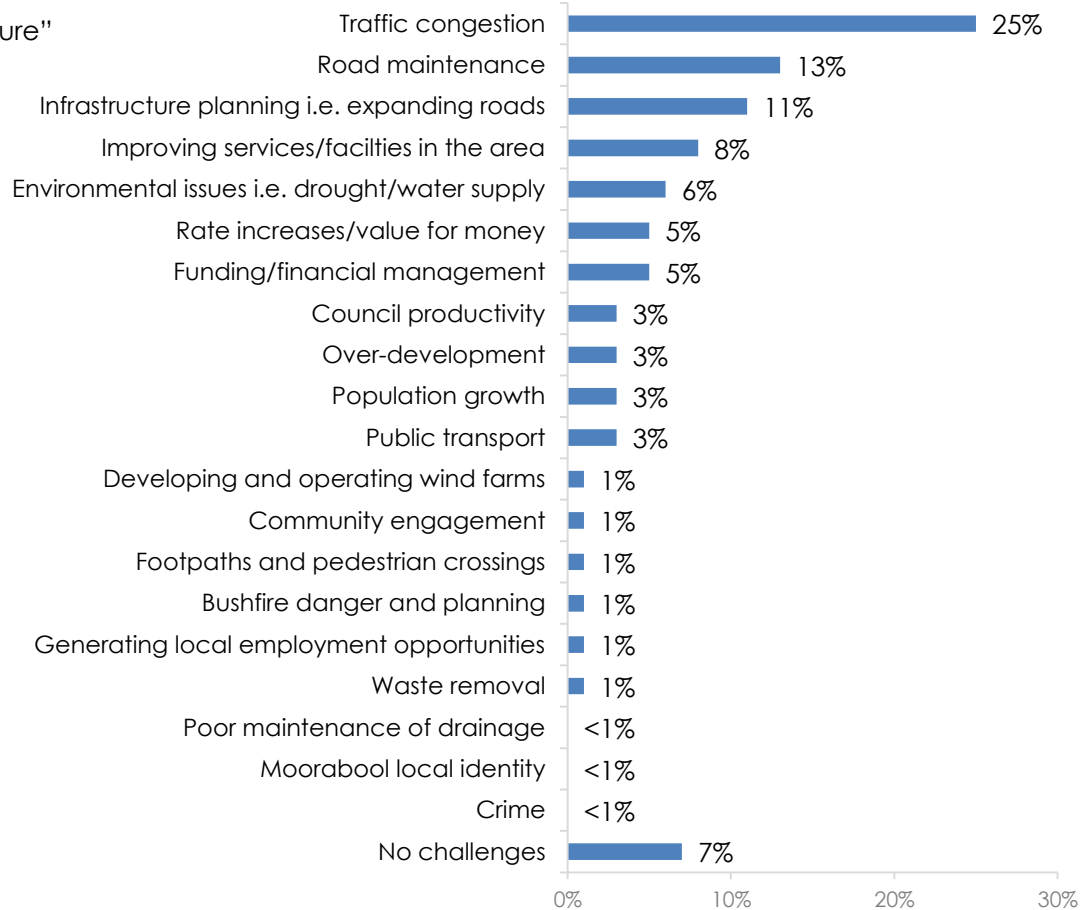
“Inadequate transport infrastructure”

“Unemployment”



“Lack of infrastructure and development to support population growth”

“Lack of residential development”



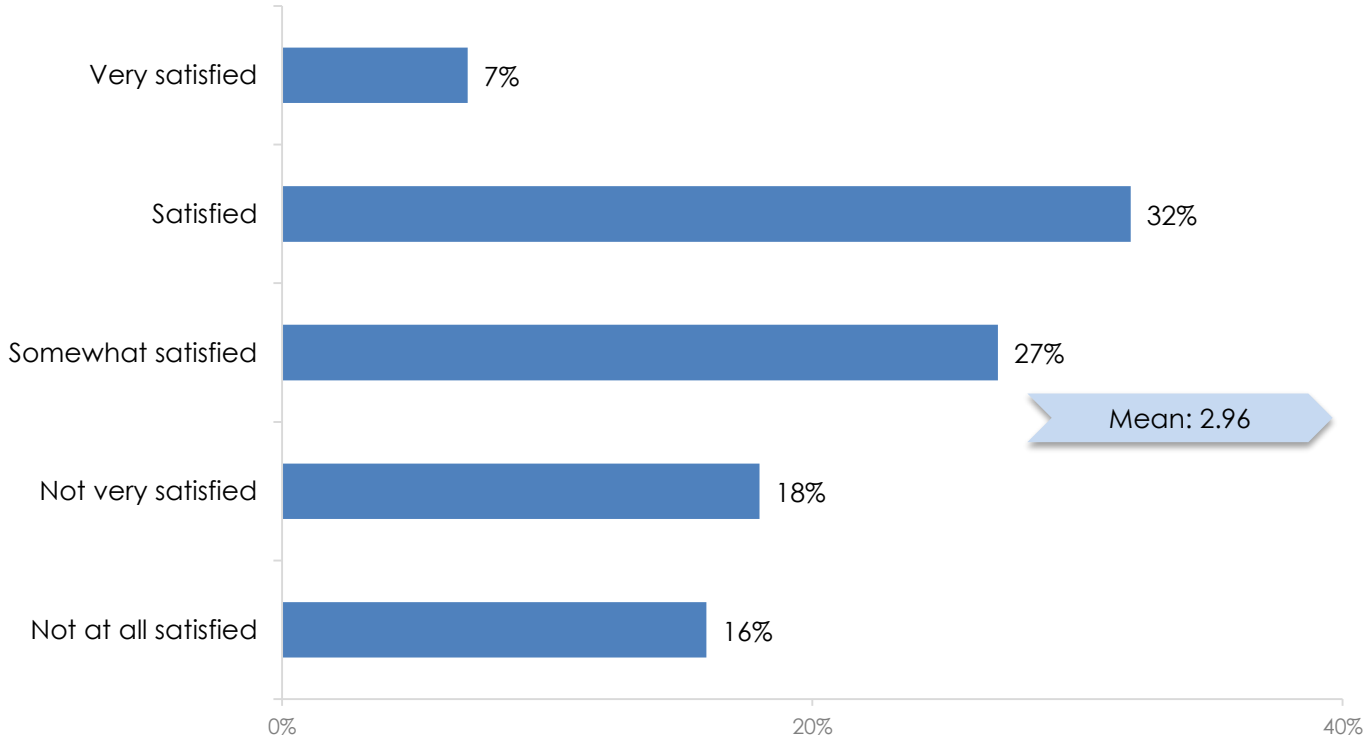
Base: N=402

‘Traffic congestion’ was deemed the key challenge for a quarter of residents, followed by ‘road maintenance’ (13%), and ‘Infrastructure planning’ (11%)

Satisfaction with Community and Transport Infrastructure

Q3a. How satisfied are you with the level of community and transport infrastructure provided by Council in the local area?

	Overall	18-34	35-49	50-64	65+	Male	Female	Ratepayer	Non-ratepayer	Bacchus Marsh Planning Region	Ballan Planning Region	West Moorabool Planning Region
Mean ratings	2.96	3.46▲	3.00	2.54▼	2.84	2.99	2.92	2.87	3.40	3.02	3.17	2.27▼



Scale: 1 = not at all satisfied, 5 = very satisfied

Base: N=402

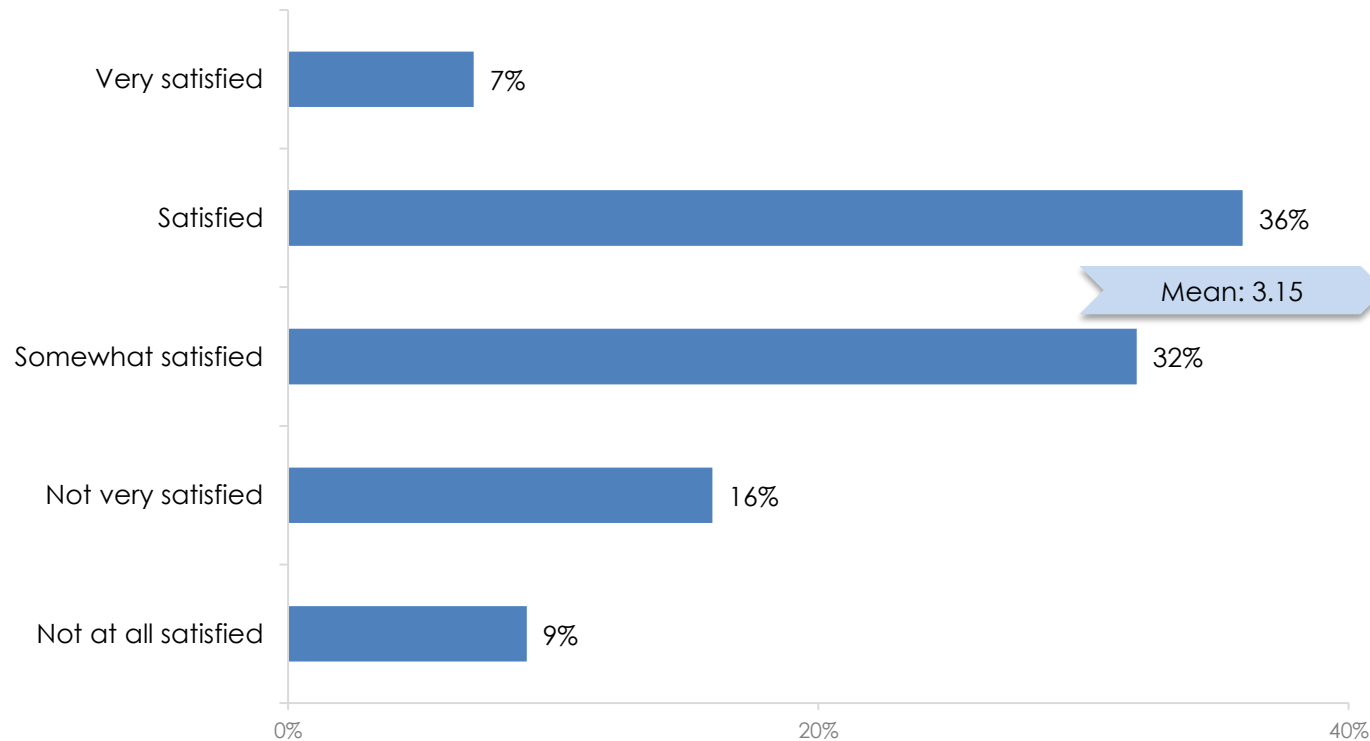
▲ ▼ = A significantly higher/lower level of satisfaction (than the overall)

Overall, 66% of residents were at least 'somewhat satisfied' with the level of community and transport infrastructure provided by Council. Residents aged 18-34 were significantly more satisfied, while those aged 50-64, and residents of the West Moorabool Planning Region were significantly less satisfied

Satisfaction with Council's Level of Service

Q3b. How satisfied are you with the level of service provided by Council in the local area?

	Overall	18-34	35-49	50-64	65+	Male	Female	Ratepayer	Non-ratepayer	Bacchus Marsh Planning Region	Ballan Planning Region	West Moorabool Planning Region
Mean ratings	3.15	3.62▲	3.08	2.84▼	3.12	3.03	3.27	3.06	3.64▲	3.14	3.12	3.09



Scale: 1 = not at all satisfied, 5 = very satisfied

▲ ▼ = A significantly higher/lower level of satisfaction (than the overall)

Base: N=402

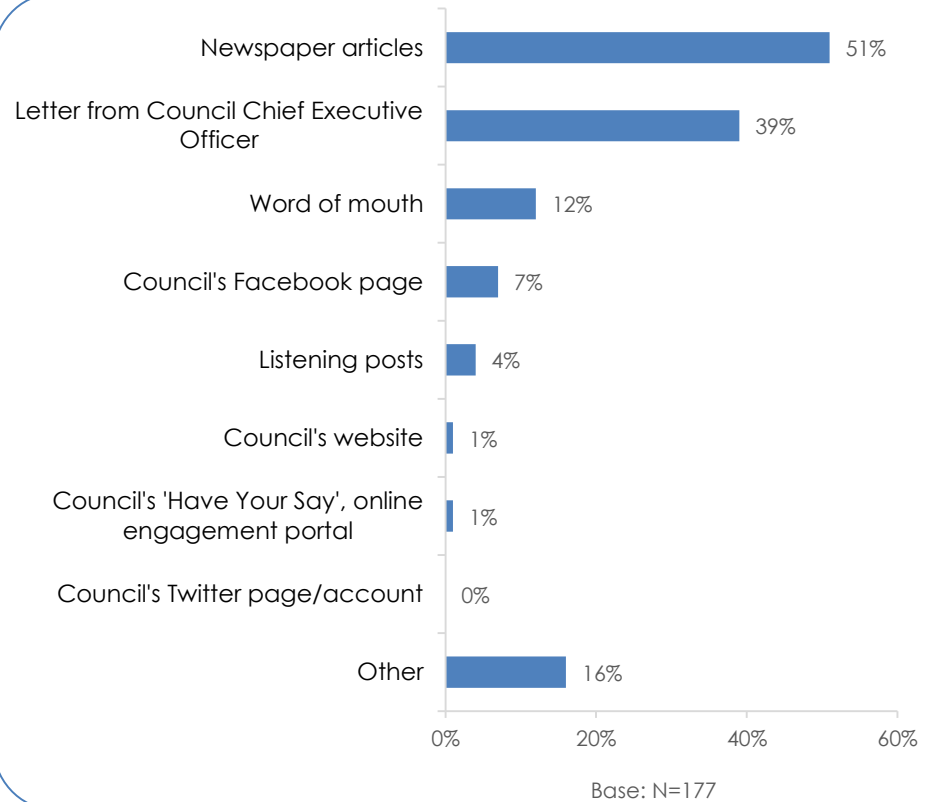
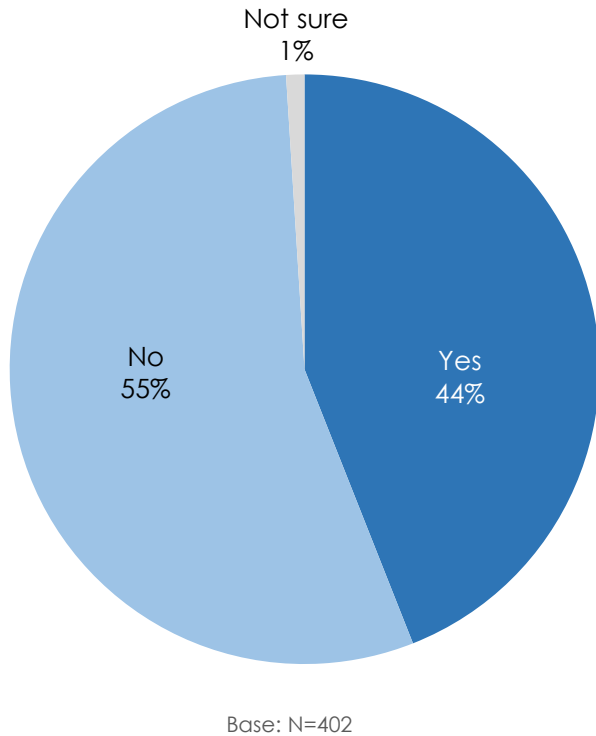
Three quarters of residents rated the level of service provided by Council in the local area at least 'somewhat satisfactory'. Residents aged 18-34 and non-ratepayers were significantly more satisfied with Council, while residents aged 50-64 were significantly less satisfied with the level of service

Response to Concept



Awareness of Council Exploring a Rate Cap Variation

Q5a. Prior to this call, were you aware that Council was exploring community feelings towards a Rate Cap Variation?
 Q5b. How were you informed of the Rate Cap Variation?



Note: 1. For data cross analysed by demographics, please see Appendix
 2. For the list of 'other' responses, please see Appendix

More residents were unaware (55%) than aware (44%) of Council exploring community feelings towards a Rate Cap Variation. Awareness was higher amongst Residents of the Bacchus Marsh Planning Area, whilst residents of the West Moorabool Planning Region were significantly less likely to be aware. Of those who were aware, 51% indicated they were informed of the Rate Cap Variation via newspaper articles

Concept Statement

Residents were read the following concept statement prior to being asked to rate their support:

As you may be aware, the State Government has introduced rate capping for local councils.

Council is facing the challenge of balancing community expectations with future financial sustainability, and will soon be experiencing a growing gap between the cost of providing services and facilities and the available funding to meet those costs.

Council now needs to make some decisions about how to best meet the expectations of the community, whilst properly planning for the future.

To determine the best course of action for the future, the community is being asked to have their say on the three funding options being put forward by Council.

One of the options being considered by the Council includes increasing fees to achieve full cost recovery – in effect, the application of a user pays principle.

Council has identified 3 potential options to deal with this growing funding gap. Those three options are:

Option A – Rate increase of 2.5%, the rate cap for 2016/17, and the rate which future increases are based upon. This option will result in the eventual cuts to services and capital works to ensure Council's financial stability

Option B – Rate increase of 4.15% for 2016/2017, likely to increase at the same level for the following 3 years and enable Council to maintain current levels of service and capital works

Option C – Rate increase of 3.5% for 2016/2017, likely to increase at the same level for the following 3 years. Council fees & charges will also increase to achieve full cost recovery and enable Council to maintain current levels of service and capital works

Let's look at the options in more detail:



Support for Option A – Rate Cap Only

Q4a. How supportive are you of Council proceeding with this option?

	Overall	18-34	35-49	50-64	65+	Male	Female	Ratepayer	Non-ratepayer	Bacchus Marsh Planning Region	Ballan Planning Region	West Moorabool Planning Region
Mean ratings	2.80	2.74	2.69	2.74	3.17▲	2.91	2.70	2.77	2.94	2.86	2.74	2.66

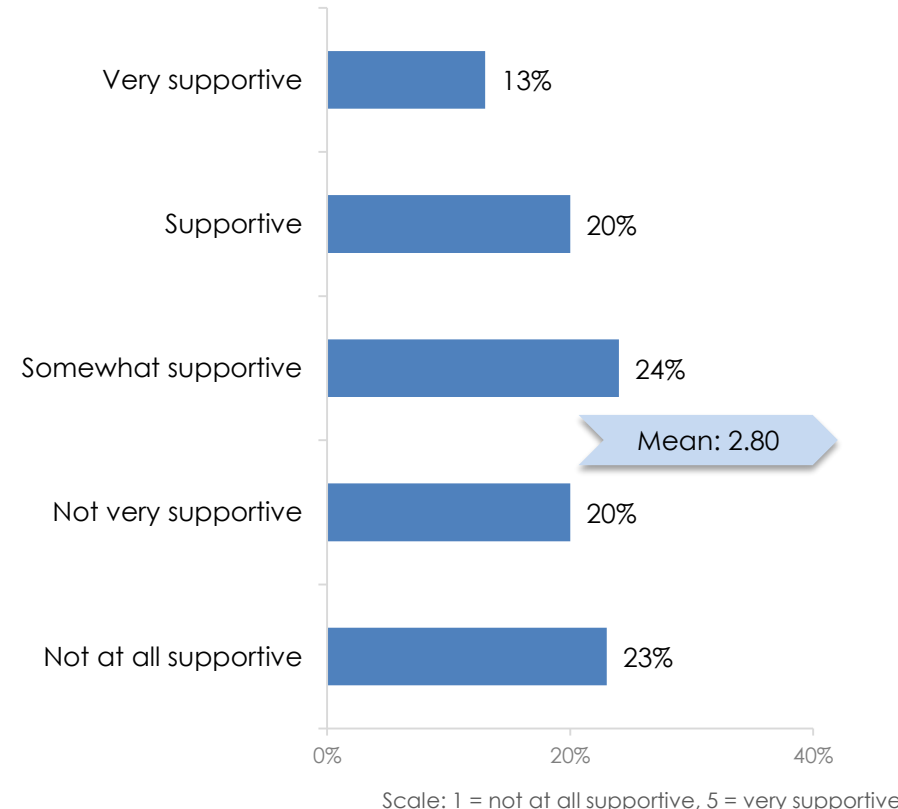
OPTION A:

There would be no rate increase above the rate cap of 2.5%.

Under this option the Council will not be financially sustainable, having a sizeable deficit in 2016/17 and insufficient income to cover its expenditure in the future.

While no decisions have been made, under this option, service reductions could include areas such as road, drainage and footpath maintenance, the upkeep of sporting grounds, parks, playgrounds and the number of community events and support for community activities.

Under Option A a residential household currently paying \$1,000 per annum in general rates will pay on average an additional \$25 in 2016/2017.



▲ ▼ = A significantly higher/lower level of support (than the overall)

Base: N=402

57% of residents indicated they were at least 'somewhat supportive' of 'Option A'. Residents aged 65+ were significantly more supportive of this option 31 of 90

Support for Option B – Maintain Services

Q4b. How supportive are you of Council proceeding with this option?

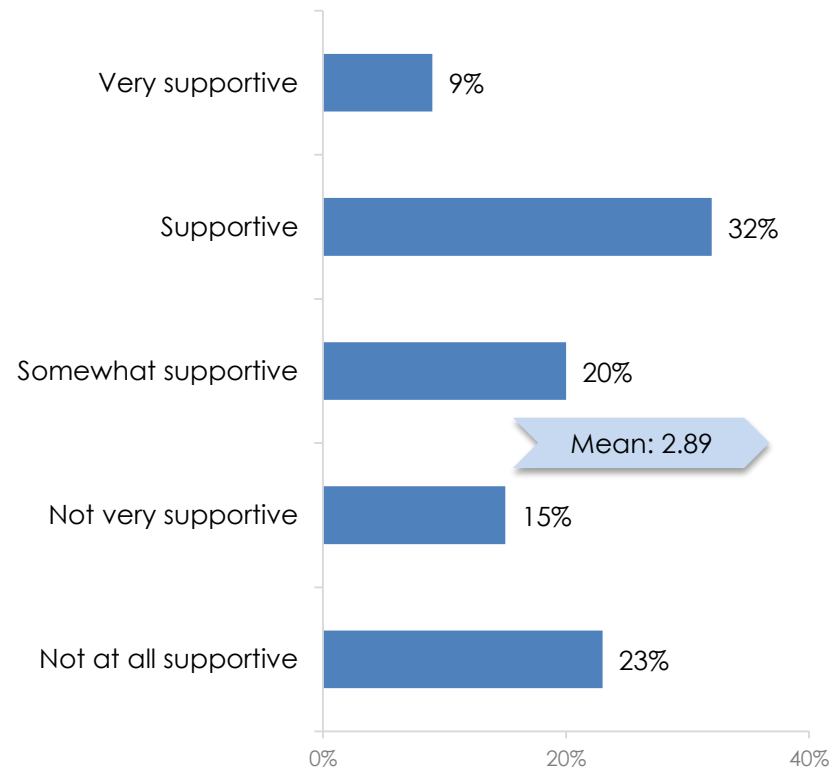
	Overall	18–34	35–49	50–64	65+	Male	Female	Ratepayer	Non-ratepayer	Bacchus Marsh Planning Region	Ballan Planning Region	West Moorabool Planning Region
Mean ratings	2.89	3.34	3.01	2.52▼	2.66	2.86	2.92	2.73	3.79▲	2.95	2.96	2.50

OPTION B:

Under Option B general rates will increase by 4.15% in 2016/17. The requested increase is 1.65% above the rate cap.

Under this option Council will be able to secure its financial future while also maintaining existing levels of service. Additionally it will provide an extra \$4M in new Infrastructure and increase the funding for infrastructure renewal by \$15.2M over the next 10 years.

Under Option B a residential household currently paying \$1,000 per annum in general rates will pay on average an additional \$41.50 in 2016/2017; an increase of \$16.50 above the minimum rate cap increase.



Scale: 1 = not at all supportive, 5 = very supportive

▲ ▼ = A significantly higher/lower level of support (than the overall)

Base: N=402

Nearly two thirds of the residents (61%) were 'somewhat supportive' to 'very supportive' of 'Option B'. Non-ratepayers were significantly more supportive whilst support for this option was significantly weaker amongst residents aged 50-64

32 of 90

Support for Option C – Maintain Services

Q4c. How supportive are you of Council proceeding with this option?

	Overall	18–34	35–49	50–64	65+	Male	Female	Ratepayer	Non-ratepayer	Bacchus Marsh Planning Region	Ballan Planning Region	West Moorabool Planning Region
Mean ratings	2.67	2.89	2.89	2.39	2.44	2.65	2.69	2.60	3.04	2.71	2.63	2.58

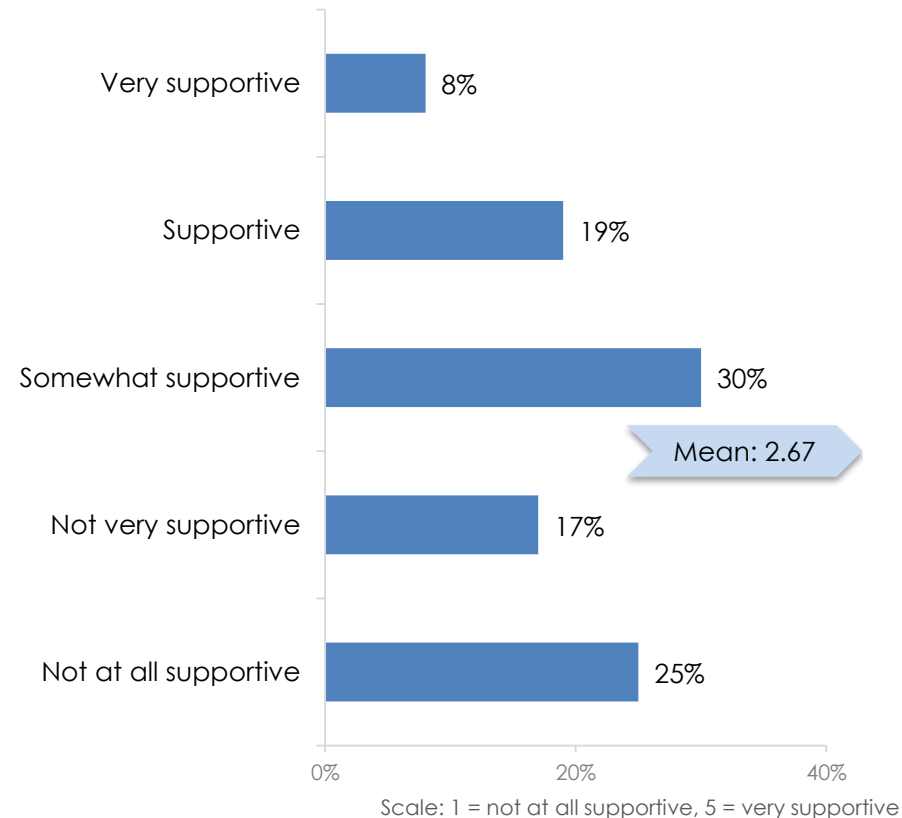
OPTION C:

Under Option C general rates will increase by 3.5% in 2016/17. The requested increase is 1% above the rate cap.

Under this option Council will be able to secure its financial future while also maintaining existing levels of service. Additionally it will provide an extra \$4M in new Infrastructure and increase the funding for infrastructure renewal by \$15.2M over the next 10 years.

For a residential household paying \$1,000 per annum on general rates, this would mean a total increase on average of \$35 and a net increase of \$10 above the minimum rate cap increase.

Please also note that under this option it is proposed that fees and charges for waste transfer stations, animal registrations, food premises, registrations, and septic tank installation fees will increase over time to reflect a user pays principle.

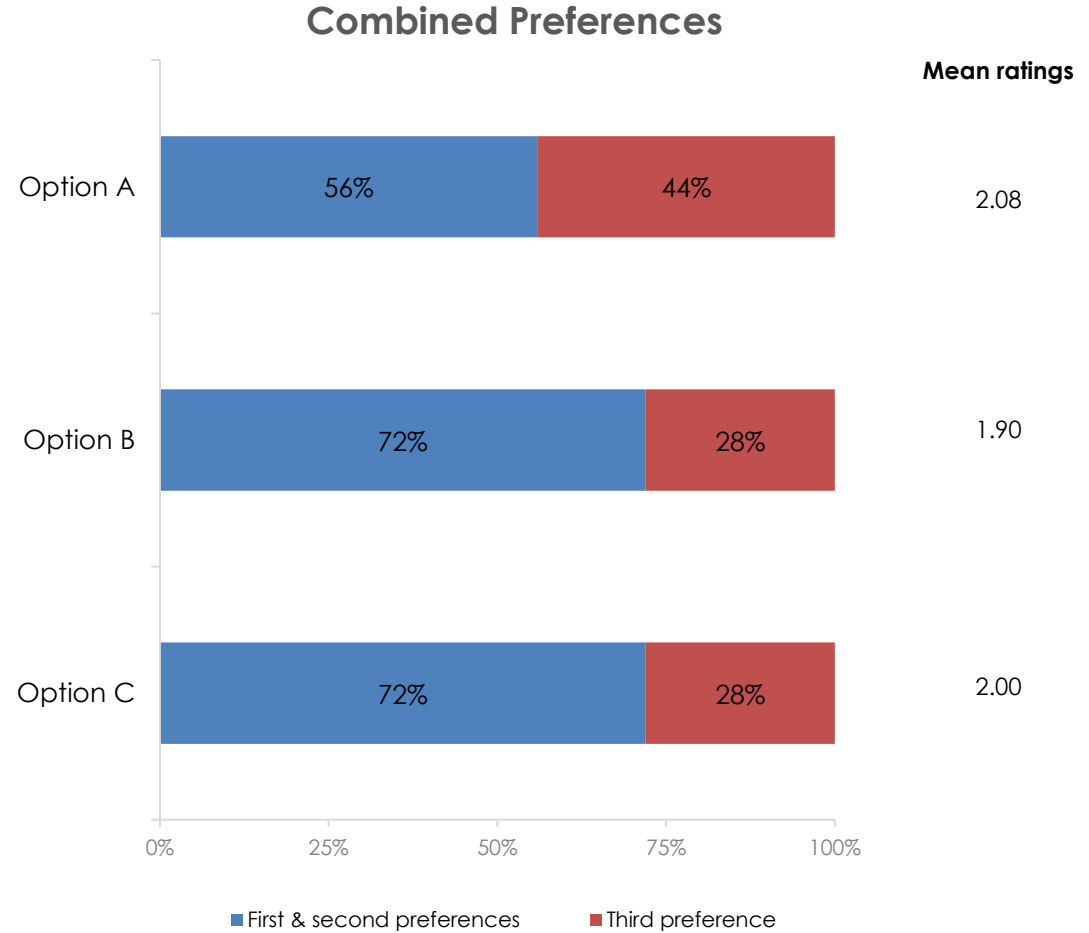
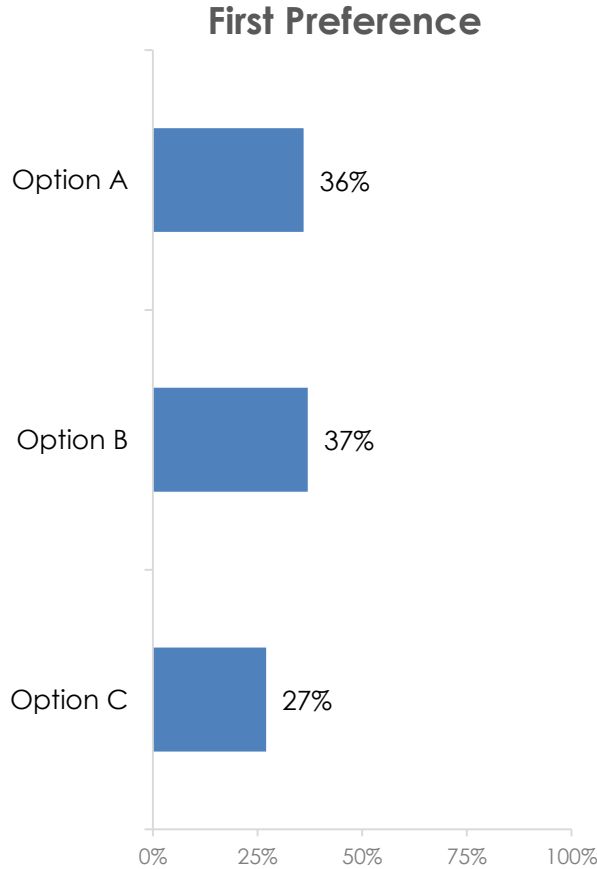


Base: N=402

Over half of the residents (57%) were at least 'somewhat supportive' of Council proceeding with 'Option C'. Support was steady across the demographics 33 of 90

First, Second & Third Preferences

Q4d. Please rank the 3 options in order of preference:



Mean ratings

2.08

1.90

2.00

Base:398-402

Note: 1. Four respondents refused to provide a 2nd and 3rd preference
2. For data cross analysed by demographics, please see Appendix

Just under two thirds of participants supported an increase above the rate cap

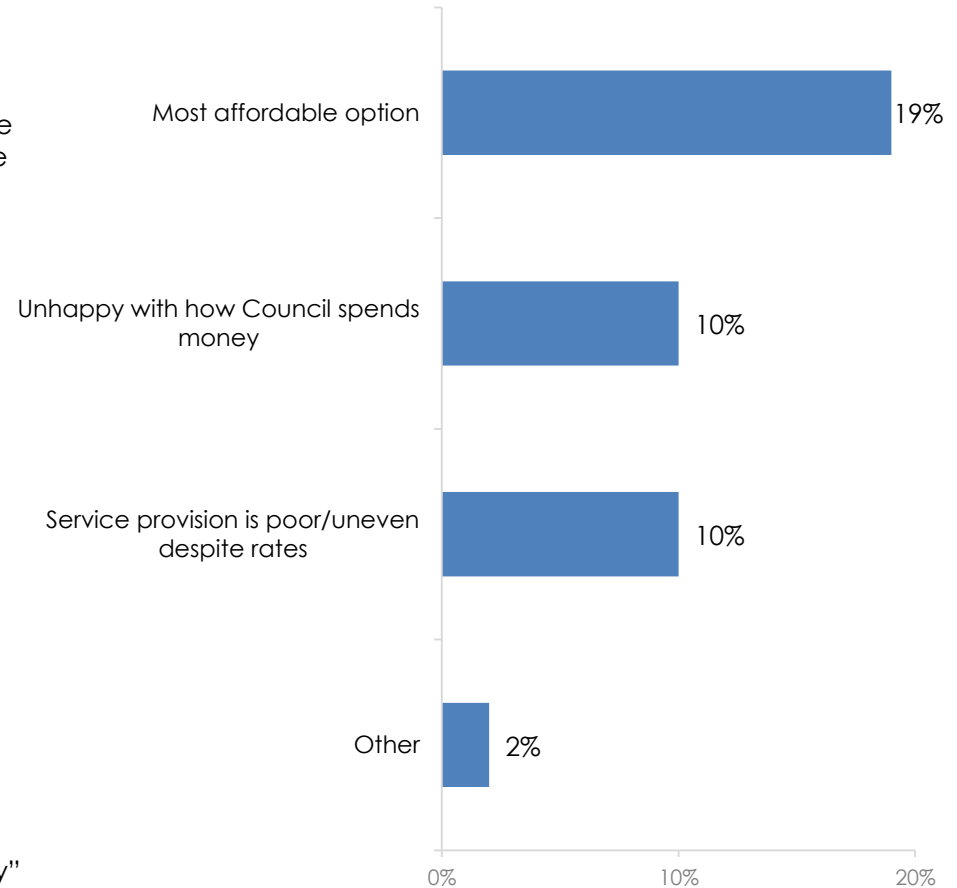
Reasons for Preferring Option A

Q4d. Please rank options in order of preference:

Q4e. What is your reason for choosing that option as your highest preference?



Option A – 36% First Preference



Base: N=402

‘Most affordable option’ was the most mentioned reason for residents preferring ‘Option A’

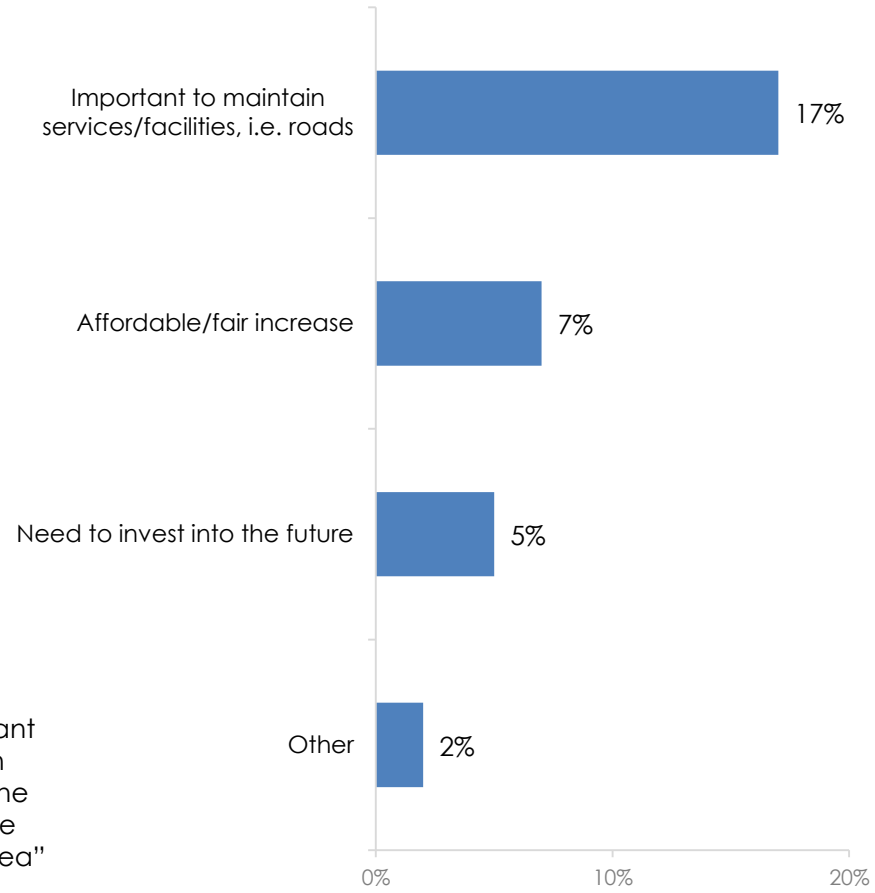
Reasons for Preferring Option B

Q4d. Please rank options in order of preference:

Q4e. What is your reason for choosing that option as your highest preference?



Option B – 38% First Preference



Base: N=402

17% of residents felt that it was 'important to maintain services and facilities, i.e. roads' in the Moorabool area. This was the most mentioned reason for choosing 'Option B'

Reasons for Preferring Option C

Q4d. Please rank options in order of preference:

Q4e. What is your reason for choosing that option as your highest preference?

"People who don't use those extra services won't have to pay more"

"Moorabool is a growing town and needs to be maintained for the future"

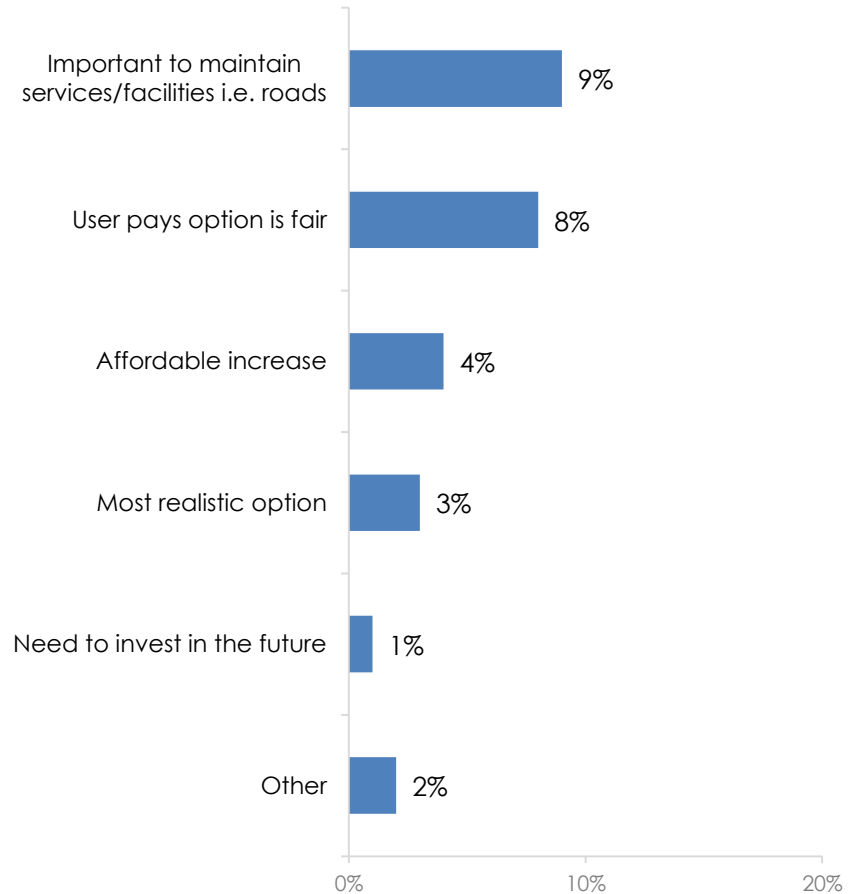


"Hopefully Option C provides finances to go towards equal maintenance throughout all suburbs"

"You pay for what you use which makes it fairer"

"Better on household budget while still maintaining service and capital works"

Option C – 28% First Preference



Base: N=402

Of those who chose 'Option C', 9% indicated the reason was 'to maintain services/facilities' closely followed by the belief that the 'user pay option is fair' (8%) 37 of 90

Conclusion



Conclusion –Rate Cap Variation

Rate Cap Variation

Awareness

- 44% of residents stated they had prior knowledge of Council exploring community feelings towards a Rate Cap Variation, with half of these residents becoming aware through 'newspaper articles'
- Awareness was higher amongst Residents of Bacchus Marsh Planning Area, whilst residents of the West Moorabool Planning Region were significantly less likely to be aware

Support for, and Preference of, Proposed Options

- Residents were most supportive of 'Option B' with 61% of residents 'somewhat supportive' to 'very supportive' of this option (cf. 57% of residents for 'Option A' and 'Option C' respectively)
- When asked to indicate their preference, 64% indicated an option that included a rate variation i.e 'Option B/C',
 - 37% preferred 'Option B', believing it was 'important to maintain infrastructure i.e. roads' and 'necessary to invest into the future of Moorabool'.
 - 36% preferred 'Option A' as their first preference, primarily because of 'affordability', 'Council mismanagement of funds', and 'poor/uneven service provision'
 - The remaining 27% preferred 'Option C' also equally placing importance on 'infrastructure' and 'the future investment of Moorabool', as well as considering the 'user pay' principle to be fairer and equitable

Key Challenges

- 'Traffic congestion' was deemed the key challenge for a quarter of residents, followed by 'road maintenance' (13%), and 'infrastructure planning' (11%)

The majority of residents support a rate variation of some sort above the rate cap in order to allow council to maintain current service levels

Demographics



Demographics

Q6. Please stop me when I read out your age group:

	%
18-34	24%
35-49	30%
50-64	28%
65+	17%
Base	402

Q1a. Where do you live?·

	%
Bacchus Marsh Planning Region	61%
Ballan Planning Region	25%
West Moorabool Planning Region	14%
Base	402

Q7. Which of the following best describes the house where you are currently living?

	%
Ratepayer	84%
Non-ratepayer	16%
Base	402

Q1b. How long have you lived in the area?

	%
Less than 6 months	2%
6 months-2 years	1%
3-5 years	13%
6-10 years	17%
11-20 years	19%
More than 20 years	48%
Base	402

Q8. Gender.

	%
Male	49%
Female	51%
Base	402



Appendix



Respondent Breakdown by Subcell

	Overall	18-34	35-49	50-64	65+	Male	Female	Ratepayer	Non-ratepayer	Bacchus Marsh Planning Region	Ballan Planning Region	West Moorabool Planning Region
Base	402	98	122	112	70	198	204	339	63	247	101	54



Awareness of Rate Cap Variation – Cross Analysis

Q5a. Prior to this call, were you aware that Council was exploring community feelings towards a Rate Cap Variation?

Q5b. How were you informed of the Rate Cap Variation?

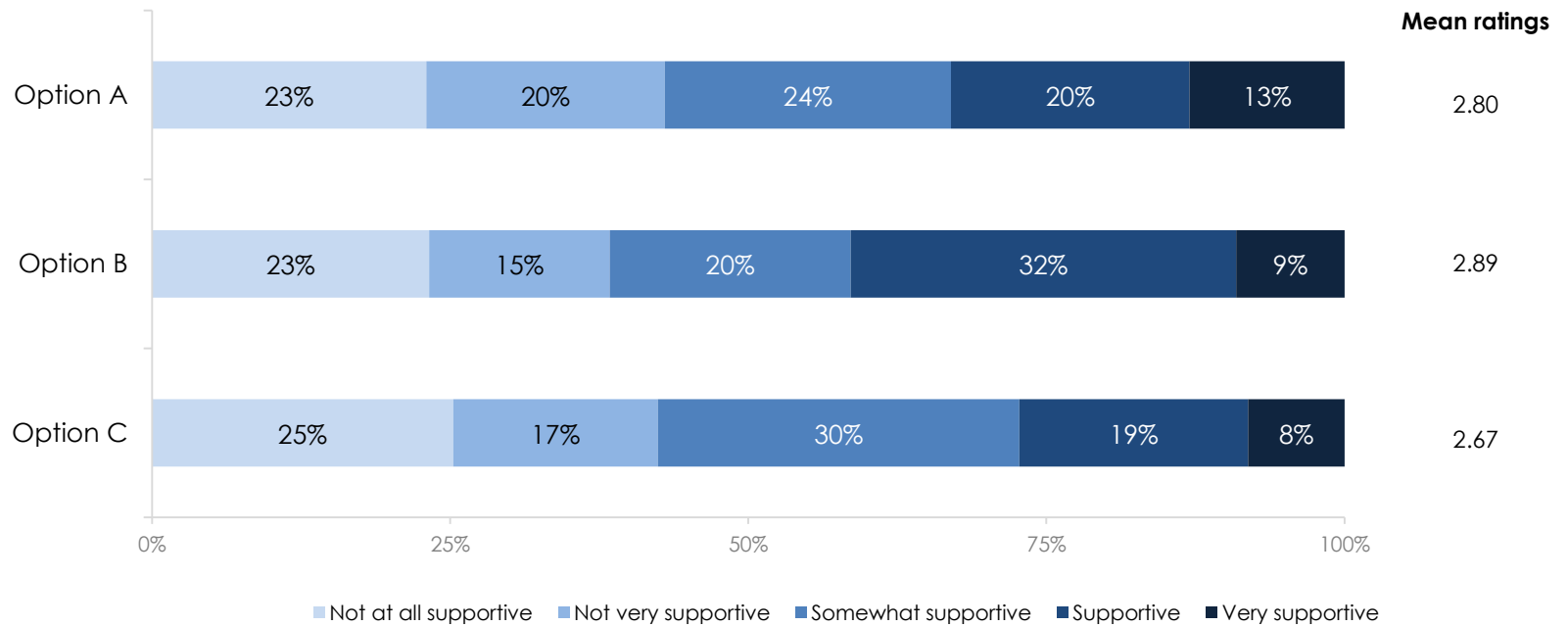
Q5a												
	Overall	18–34	35–49	50–64	65+	Male	Female	Ratepayer	Non-ratepayer	Bacchus Marsh Planning Region	Ballan Planning Region	West Moorabool Planning Region
Yes	44%	29%	54%	42%	50%	44%	44%	46%	33%	53%▲	38%	14%
No	55%	71%	46%	56%	49%	55%	55%	53%	67%	45%	62%	86%▲
Not sure	1%	0%	0%	2%	1%	1%	0%	1%	0%	1%	0%	0%

Q5b												
	Overall	18–34	35–49	50–64	65+	Male	Female	Ratepayer	Non-ratepayer	Bacchus Marsh Planning Region	Ballan Planning Region	West Moorabool Planning Region
Letter from Council	39%	42%	37%	44%	33%	46%	33%	34%	79%▲	46%▲	16%	36%
Newspaper articles	51%	48%	47%	48%	66%	51%	51%	57%▲	10%	45%	73%	49%
Council's website	1%	0%	0%	2%	4%	0%	2%	1%	0%	1%	3%	0%
Listening Posts	4%	0%	5%	5%	2%	7%	0%	4%	0%	5%	0%	0%
Council's Facebook page	7%	11%	9%	5%	4%	1%	13%	7%	10%	7%	8%	0%
Council's Twitter Page/Account	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Council's 'Have Your Say', online engagement portal	1%	0%	0%	2%	1%	0%	1%	1%	0%	0%	2%	0%
Word of Mouth	12%	11%	10%	14%	15%	9%	16%	12%	12%	14%	8%	0%
Other	16%	0%	29%▲	12%	10%	18%	15%	18%	0%	17%	10%	31%

Summary of Support

Q4a, Q4b, Q4c. How supportive are you of Council proceeding with this option?

	Overall	18-34	35-49	50-64	65+	Male	Female	Ratepayer	Non-ratepayer	Bacchus Marsh Planning Region	Ballan Planning Region	West Moorabool Planning Region
Option A	2.80	2.74	2.69	2.74	3.17▲	2.91	2.70	2.77	2.94	2.86	2.74	2.66
Option B	2.89	3.34	3.01	2.52▼	2.66	2.86	2.92	2.73	3.79▲	2.95	2.96	2.50
Option C	2.67	2.89	2.89	2.39	2.44	2.65	2.69	2.60	3.04	2.71	2.63	2.58



Scale: 1 = not at all supportive, 5 = very supportive

▲▼ = A significantly higher/lower level of support (by group)

Base: N=402

'Option B' was provided with the highest level of support from the Moorabool community

45 of 90

Awareness of Special Rate Variation – Other Specified

Q5a. Prior to this call, were you aware that Council was exploring community feelings towards a Rate Cap Variation?

Q5b. How were you informed of the Rate Cap Variation?

Other (Base: N=177)	Count
Leaflet/letter from Council	7
Radio	6
Bacchus Marsh Residents' Facebook group	5
Postal survey	5
Email	3
Television	1



Preferred Options – Cross Analysis

Q4d. Please rank the 3 options in order of preference:

First Preference												
	Overall	18–34	35–49	50–64	65+	Male	Female	Ratepayer	Non-ratepayer	Bacchus Marsh Planning Region	Ballan Planning Region	West Moorabool Planning Region
Option A	36%	18%	31%	50%	44%	37%	34%	41%▲	9%	33%	32%	53%
Option B	38%	54%	38%	28%	30%	40%	35%	33%	62%	40%	43%	15%▼
Option C	28%	28%	33%	23%	26%	24%	31%	28%	29%	28%	25%	32%



Moorabool Shire Council
2016 Community Survey – Rate Cap Variation
March 2016

Good morning/afternoon/evening, my name is _____ and I'm calling on behalf of Moorabool Shire Council from a company called Micromex. We are conducting a survey of local residents about their opinions of Council's options for financial sustainability. The survey will take about 10-12 minutes, would you be willing to assist us please?

QA. Before we start, I would like to check whether you or an immediate family member works for Council? (If yes, terminate survey)

- Yes
- No

Q1a. Where do you live? Prompt

- Bacchus Marsh Planning Region – Postcode – 3340
- Ballan Planning Region – Postcodes – 3341, 3342, 3345
- West Moorabool Planning Region – Postcodes – 3352, 3334

Q1b. How long have you lived in the local area? Prompt

- Less than 6 months
- 6 months – 2 years
- 3 – 5 years
- 6 – 10 years
- 11 – 20 years
- More than 20 years

Q2. What is the key challenge you feel the local area is currently facing?

.....

Q3a. How satisfied are you with the level of community and transport infrastructure provided by Council in the local area? Prompt

- Very satisfied
- Satisfied
- Somewhat satisfied
- Not very satisfied
- Not at all satisfied



Q3b. How satisfied are you with the level of service provided by Council in the local area? Prompt

- Very satisfied
- Satisfied
- Somewhat satisfied
- Not very satisfied
- Not at all satisfied

Read Out

As you may be aware, the State Government has introduced rate capping for local councils.

Council is facing the challenge of balancing community expectations with future financial sustainability, and will soon be experiencing a growing gap between the cost of providing services and facilities and the available funding to meet those costs.

Council now needs to make some decisions about how to best meet the expectations of the community, whilst properly planning for the future.

To determine the best course of action for the future, the community is being asked to have their say on the three funding options being put forward by Council.

One of the options being considered by the Council includes increasing fees to achieve full cost recovery – in effect, the application of a user pays principle.

Council has identified 3 potential options to deal with this growing funding gap. Those three options are:

- Option A – Rate increase of 2.5%, the rate cap for 2016/17, and the rate which future increases are based upon. This option will result in the eventual cuts to services and capital works to ensure Council's financial stability
- Option B – Rate increase of 4.15% for 2016/2017, likely to increase at the same level for the following 3 years and enable Council to maintain current levels of service and capital works
- Option C – Rate increase of 3.5% for 2016/2017, likely to increase at the same level for the following 3 years. Council fees & charges will also increase to achieve full cost recovery and enable Council to maintain current levels of service and capital works

Let's look at the options in more detail:



Option A:

There would be no rate increase above the rate cap of 2.5%.

Under this option the Council will not be financially sustainable, having a sizeable deficit in 2016/17 and insufficient income to cover its expenditure in the future.

While no decisions have been made, under this option, service reductions could include areas such as road, drainage and footpath maintenance, the upkeep of sporting grounds, parks, playgrounds and the number of community events and support for community activities.

Under Option A a residential household currently paying \$1,000 per annum in general rates will pay on average an additional \$25 in 2016/2017.

Q4a. How supportive are you of Council proceeding with this option? Prompt

- Very supportive
- Supportive
- Somewhat supportive
- Not very supportive
- Not at all supportive

Option B:

Under Option B general rates will increase by 4.15% in 2016/17. The requested increase is 1.65% above the rate cap.

Under this option Council will be able to secure its financial future while also maintaining existing levels of service. Additionally it will provide an extra \$4M in new Infrastructure and increase the funding for infrastructure renewal by \$15.2M over the next 10 years.

Under Option B a residential household currently paying \$1,000 per annum in general rates will pay on average an additional \$41.50 in 2016/2017; an increase of \$16.50 above the minimum rate cap increase.

Q4b. How supportive are you of Council proceeding with this option? Prompt

- Very supportive
- Supportive
- Somewhat supportive
- Not very supportive
- Not at all supportive



Option C:

Under Option C general rates will increase by 3.5% in 2016/17. The requested increase is 1% above the rate cap.

Under this option Council will be able to secure its financial future while also maintaining existing levels of service. Additionally it will provide an extra \$4M in new Infrastructure and increase the funding for infrastructure renewal by \$15.2M over the next 10 years.

For a residential household paying \$1,000 per annum on general rates, this would mean a total increase on average of \$35 and a nett increase of \$10 above the minimum rate cap increase.

Please also note that under this option it is proposed that fees and charges for waste transfer stations, animal registrations, food premises, registrations, and septic tank installation fees will increase over time to reflect a user pays principle.

Q4c. How supportive are you of Council proceeding with this option? Prompt

- Very supportive
- Supportive
- Somewhat supportive
- Not very supportive
- Not at all supportive

Council acknowledges that any rate increase may be difficult for some community members, and has mechanisms in place to assist ratepayers should they incur difficulty in keeping up with their rates payments, including a Property Rate Debt Management Policy – Financial hardship provisions.

Following extensive community consultation and the results of this survey, Council will consider whether it should or should not apply by the 31 March for a Rate Cap Variation to the Essential Services Commission (ESC).



Q4d. Please rank the 3 options in order of preference:

- Option A – Rate cap of 2.5%, and cuts to services and capital works over time to ensure Council's financial stability
- Option B – Rate increase of 4.15%, enabling Council to maintain current levels of service and capital works
- Option C – Rate increase of 3.5% with increases to Council fees & charges, enabling Council to achieve full cost recovery, and maintain current levels of service and capital works

Q4e. What is your reason for choosing that option as your highest preference?

.....

Q5a. Prior to this call were you aware that Council was exploring community feelings towards a Rate Cap Variation?

- Yes
- No (If no, go to Q6)
- Not sure (If not sure, go to Q6)

Q5b. How were you informed of the Rate Cap Variation? Prompt

- Letter from Council Chief Executive Officer
- Newspaper articles
- Council's website
- Listening Posts
- Council's Facebook page
- Council's Twitter Page/Account
- Council's 'Have Your Say', online engagement portal
- Other (please specify)



Demographics

The following information is used for demographic purposes only.

Q6. Please stop me when I read out your age group: Prompt

- 18–34
- 35–49
- 50–64
- 65+

Q7. Which of the following best describes the house where you are currently living?

- I/We own/are currently buying this property
- I/We currently rent this property

Q8. Gender by voice:

- Male
- Female

If you have any further questions regarding this proposed rate variation you can find details on Council's website or by contacting Council on 5366 7100. Thank you very much for your time. Enjoy the rest of your evening.





micromex research

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Fax: (02) 4352 2117

Web: www.micromex.com.au

Email: stu@micromex.com.au

Attachment - Item 7.1(b)

Attachment 2 – Listening Post vote card responses; verbal comments and written responses

Listening Posts

	Option A		Option B		Option C		Total
	#	%	#	%	#	%	#
Central							
Moorabool	3	30%	2	20%	5	50%	10
East Moorabool	7	28%	5	20%	13	52%	25
Woodlands	3	38%	1	13%	4	50%	8
West Moorabool	1	13%	2	25%	5	63%	8
Total	14	27%	10	20%	27	53%	51

Letter

	Option A		Option B		Option C		Total
	#	%	#	%	#	%	#
Central							
Moorabool	16	53%	6	20%	8	27%	30
East Moorabool	153	60%	22	9%	80	31%	255
Woodlands	30	70%	4	9%	9	21%	43
West Moorabool	19	63%	3	10%	8	27%	30
External	45	67%	2	3%	20	30%	67
Not Supplied	33	89%	3	8%	1	3%	37
Total	296	64%	40	9%	126	27%	462

Combined

	Option A		Option B		Option C		Total
	#	%	#	%	#	%	#
Central							
Moorabool	19	48%	8	20%	13	33%	40
East Moorabool	160	57%	27	10%	93	33%	280
Woodlands	33	65%	5	10%	13	25%	51
West Moorabool	20	53%	5	13%	13	34%	38
External	45	67%	2	3%	20	30%	67
Not Supplied	33	89%	3	8%	1	3%	37
Total	310	60%	50	10%	153	30%	513

Listening Post Comments

They don't get much service from the council - lives on a VicRoads - only rural library and garbage collection
Speed should be reduced through Bungaree/Wallace at the top of the hill rather than bottom of hill
No cuts to HACC services
Drains and culverts not cleared - paddocks flooded
Weighbridge fees too high
More work needed on road grading/ pot-hole repair
Council is too top heavy
Don't see council staff often
Lack of public transport
Issues with water board - septic tanks/sewage
Grass Growing in drains a potential fire hazard
Urquhart St. behind tennis court needs improvement
Distribution of spend unfair between Ballan and other areas
Condition of roads poor
Council should mow nature strips
Council should have funded the Ballan arboretum study
Atkinson street between Stead & Joplin needs to be improved
Recreation reserve funding should be cut
What are the 100 services?
Inequity spend through shire
Why does the library send letters when reserve items come in - waste of money should be borrower's responsibility
Cover core and fees & charges for the rest
Lions club should not be charged for waste disposal
Car-park eyesore in Steiglitz St. need to be fixed
Generally happy but some pot hole repair takes too long
Footpath out the front of 8 Recreation Reserve needs to be repaired
Reiner & Shaw St. blackwood needs to be repaired
Request for new street tree to be planted out the front outside of my house in Bacchus Marsh - Please call to discuss
Roundabout need to be maintained and clean better
More street trees and more water efficient trees needed throughout Bacchus Marsh
52 weeks of festival sign - coming out of under bank Blvd. the sign is blocking the view of traffic on main St. towards western freeway - can the sign please be moved further back from the corner so that line of sight is maintained
Abolish councils
Wants clarification if tree out front of her property is on Council land or on hers - if on council land can it please be pruned

<p>Rates and charges linked to CPI is a blunt instrument that may not enable the flexibility that councils may need. The outcome will likely to result in a disadvantage in many areas to maintain or improve services important to municipal operations.</p> <p>I would much rather see municipal councils to set their own caps and be held accountable to the rate payers to deliver services to the expectations of the community. Higher level of government could probably better apply their effort by enabling good process of governance to assist rate payers to hold councils to standards of service rather than micro-managing operations.</p>
<p>I ticked C but am concerned farmers not be rated out of the district. It would be good to cap their rates at A. I own two commercial Main St properties.</p>
<p>Need hard waste collection</p>
<p>Water & sewage connection needed</p>
<p>Swimming pool hours should be extended and opening hours need to be consistent (i.e. not closed on cold days).</p>
<p>Can't get home help in Beremboke told its too far out</p>
<p>Look for efficiencies first before raising rates. Rates too high for commercial properties.</p>
<p>Current rates unaffordable for people on pensions, even with rebates. People with no intention of developing get forced out when their property value increases because of development potential.</p>
<p>Councils too top heavy and residents don't get enough services - should look to get more efficient before raising rates</p>
<p>New town signs needed - existing ones covered in moss.</p>
<p>Parkinson Road Morrisons - issues with Grading</p>
<p>Need to divide Council - make smaller as too large to serve all smaller areas</p>
<p>Services have gone down in the past 40 years Urquhart St Gordon needs to be repaired can't cope with new developments</p>
<p>Edol St should be sealed till the rec reserve</p>
<p>4 Council officers blowing leave in Ballan - inefficient</p>
<p>Not getting contacted when they call and register complaints</p>
<p>Less admin and more operational staff needed</p>
<p>Roads around Morrisons need to be fixed.</p>
<p>Berry sty and Roche Ct. Ballan should have footpaths</p>
<p>Can rubbish be collected from front gate instead of down the street</p>
<p>Green waste collection needed</p>
<p>Shouldn't be charged at tip - at least one tip voucher per year</p>
<p>Annual reports need to better explain where money goes - e.g. spend per area. Picture of projects on website.</p>
<p>Tree plan for Ballan is really good</p>
<p>Put rates up in Bacchus Marsh as they get all the services - we(Ballan) get nothing</p>
<p>Kerb & Channel condition in Clifton Drive Bacchus Marsh very poor</p>
<p>26 Years Residency Capital Improvements Noted Gisborne/Western Free-way bridge widened Footpaths in Main St. changed 3 times New Shire Offices Ballan New Shire Offices Bacchus Marsh Footpaths widened and road relayed around BM shire offices Garden and infrastructure improvements around Shire Offices Walk made at bottom of Avenue of Honour New library</p>

Iron Art Work installed in all entrances of towns in Shire
 Note:
 We are the biggest Town in Australia no to have an indoor heated swimming pool. (Bendigo has two)
 Our Shire does not provide services common to other Shires such as green waste collection at \$110 per year, hard rubbish collection, tip tickets provided with rates.
 Our current rate percentage is .4216%. Brimbank is .2933%. Melton .3487% a similar Shire such as Bendigo is .3927%
 Traffic is chaotic at most times in the shopping district yet no attempt is seen to be made to alleviate this situation.

Comments in writing

Council will make cuts to services any way, even if Option B or C was selected
Should have given more tangible options e.g. what capital works e.g. Hallett's Way Bridge = alleviate traffic
Cut waste in council
Reason - Only receiving limited services at Bellbrook Retirement Village, yet paying full rates
Say no to Croxford's con!!! Try a pay cut Rob (over paid)
Over CPI rate? We are self-funded retirees and have to live on our own saved money - so should you!!!! CPI 1.7%
Try reducing executive salaries
Live within your means
We don't get anything anyway!!
Stick to the basics like roads & rubbish that is what you are there for \$4000/year?
Reduce labour costs & services. Just keep basics. Increase Fees will result in people dumping rubbish illegally.
We have no rubbish collection or other services - Why not? Rates Roads Rubbish
Split up the Shire if you can't manage it properly. Massively over rated now. Bacchus Marsh is a nightmare traffic jam. Graffiti and violence a plenty what a joke. Stop wasting cash!!
What a shocking waste of our money this must have cost a fortune.
No rate increase its already high
Basic necessities only - scrutinise roting activity in tendering - can we really afford spending on ideology fairy tales - prioritise - stick to basics - not game to
Option D - No Increase
None
Option D - No increase work within your budget
Option D. No Increase - Businesses are doing it tough increase rates, it will kill us.
Opt D, No increase struggling as it is!!!
Option D no to any increase
What are you going to cut maybe our yellow and red bin - What do you do for us - how can you sleep at night
Suck it up and work within gov's guidelines. Cut unnecessary expenditure like this circular and council employees seeking signatures in local shopping centres, What sort of jobs do these people have that they can spend that time away from desks. Retrench a few of these seat warmers. I support the sacking of all councils and operate with an appointed officer. I'm sure this could operate very well under this situation.

Too many staff, no action, Can't get a straight answer when contacting council offices & what about the pool, we were going to have, does anyone know what's going on there!

As the CIV will increase in this F/Y our rates will increase by more than 2.5% anyway

We outside govt. jobs are hurting many earn 1/2 of council workers - Only council & P serv workers have good wages - Too many services - Too Much Red Tape - Too many council workers - Put All council under Vic. govt

Since you ignore my wish for a garbage pick-up - I doubt you will give my view any credence.

Please find enclosed the rate survey which was received in the mail. We find it very interesting that such a short response time frame was given. Is there a reason for this?

As we are living in a Retirement Village we feel that perhaps we should really be paying a much reduced rate than the amount that we are paying.

You will be aware that the Council does not provide Rubbish or Recycle collections nor are too responsible for the upkeep of roads, lighting and footpaths. For these services the residents of the village pay a monthly service fee.

If costs need to be cut maybe Council could look at infrastructure. Do we really need an office at Darley and Ballan?

Thank You for your time in reading this.

Current rates unaffordable for people on pensions, even with rebates. People with no intention of developing get forced out when their property value increases because of development potential.

Attachment - Item 7.1(c)

Attachment 3 – Written Responses – Have Your Say

It is disappointing that Council go straight for 'We will have to cut services' and not look at other cost saving methods. This is a good time for Council to review the number of councillors. For example: Why does Central Moorabool have four members? Surely that number can be reduced to two. Council should also review its running costs to decrease the required rate income. EBA should also be reviewed to the current environment. The wage and allowance increase etc. seem to be out of touch with other government.

I would think that the rate cap of 2.5% is more than enough, rather than cutting services there should be some internal cost saving options within the council to make it more efficient. The ratepayers deserve some efficient management of ratepayers funds within the shire its hard earned money paid by ratepayers and easily and probably not efficiently spent by the Shire

I think an external audit of spending and review the spending to provide cost savings of 5-10% could be easily achieved if the Moorabool shire were to look for better use of the funds currently spent.

Currently most companies on the planet can review its operations and provide savings of 5% without impacting services I see no reason why the Moorabool Shire cannot do this also.

You`re a business & you need to act like a business - look at areas where you can save look at different companies from which you can source your products from. Your skills of persuasion are lacking & you`re not getting a good deal I`ve lived in the Marsh for 15yrs & I haven't seen much of an infrastructure advancement its pretty pathetic you`re always waiting for a handout from some government division you need to be more active on where you can resource cash from Rate increase of 2.5% - I don't agree with it at all my rates have doubled in 15 years & I see no improvement - you need to go back to the drawing board & look at sectional cuts within the council

As a ratepayer I strongly believe that if Council better managed their finances better there would be no need for an increase to the rate cap. I do not see the value for our current rates we pay let alone an increase. We have minimal access to a pool if any access, we have below average sporting facilities for our kids, our library is pathetic with their range of books, we have no green waste collection so what do we get for our money exactly because from where I sit there is not a lot. We seem to have state of the art facilities in small towns and yet our largest town has next to nothing. I think a review into where and how expenses are being spent would be a better use of money than just dipping further into the pockets of those who are already struggling. You want to put rates up higher than what peoples wages are going

up. We will end up with a community who relies much more heavily on food banks, welfare and then that in turn will send local business broke its a vicious circle you're playing with all because you can't manage the money better.

Good evening,

I'm curious about Council's rate capping options poll and would like to know more about how Council will decide on what option it will take. Moreover I'm interested to know how Council will react to the overwhelming majority of respondents to clearly wish to see rates capped at 2.5% per annum in accordance with State Government requirements. Is the will of the people the main factor in this case, or will Council simply "consider" the view of the people before making a decision that benefits themselves at the expense of everyone else?

Option A

Council should adhere to the percentage increase as set out by the Victorian Government. Other Councils that border Moorabool are doing it by looking at reducing their discretionary spending and ceasing services they provide on behalf of the state government

I firmly believe the State Government is trying to stop out of control costs to ratepayers and the current unfair system being used by this local government is an example. I therefore fully support option a.

You have increased rates and never carried out appropriate infrastructure.

I vote categorically Option A, capped 2.5% rate increase. I have had to adjust my living standards and ability to avail services according to income received. No pay rise means something has to give to survive. Council must cut waste and reduce services as community cannot afford to keep paying such increases above CPI. I feel sorry for pensioners and low income. Enough is enough of rate rises beyond CPI. Cut services as necessary and live within means. The real working people are struggling let alone pensioners and self-employed.

The rates in Hopetoun Park are already huge. This seems to vary greatly from house to house and doesn't seem consistent with any of the other residence we speak to. It seems that Hopetoun Park is not even considered by council to be shire of Moorabool. Fortnightly bin service, no local bus service and now some families are being told that they are not even zoned for Moorabool schools and should apply to Melton schools. Our freeway access heading to Bacchus Marsh has been taken away and we are forced every day to make the slow progress down the Avenue, which is constantly having tree or road works. This forces us to use Melton facilities. And you want more money rates from us!

I agree to the 4.15% increase, however I believe you should try to include in this 3 - 4 free waste station vouchers per year. This might cut down some of the cost of cleaning our shire and would also benefit the beautification of our shire.

I support rate capping at 2.5%.

I acknowledge that Moorabool Shire has financial pressures, but I believe that upping the rate is merely a Band-Aid fix to a deeper problem, namely (i) the inappropriate delineation of the Shire when Shires were amalgamated, and (ii) the apparent inability of the Council to set limits to population despite houses being built in areas with no infrastructure or public transport support. Unless and until the amalgamation is reversed with constructive changes (for example, Bacchus Marsh should definitely be grouped with Melton for geographic and logistic and socio-political reasons, while parts of the rest of the Shire could be better served by Ballarat Council (e.g. Bungaree) and Ballan could either be a stand-alone, or be connected to Hepburn.

In summary, let the rate be capped at 2.5% and then let the consequences drive a rational re organisation of the municipal system in these parts.

I believe that Rates increases should be capped at the 2.5% as proposed by the State government

The rates in Moorabool should be capped and the Council should look at learning to work to a budget. In Gordon we have pot holed and ribbed roads and we only get our rubbish picked up fortnightly. What on earth are we paying rates as high as they already are? Your CIV for my property was over \$60k more than what we paid for the property. You are a greedy council that obviously knows nothing about budgeting! And don't get me started on what a ghetto your planners are permitting at the entrances of Ballan, where even the real estate agents say 'property prices are cheap in Ballan, because of the nasty housing stock the council has permitted at the entrances'!
Shame on you Moorabool!

I think that we pay way too much for what we receive. I have paid rates for thirty five years (yes to the former Bacchus Marsh Shire and now Moorabool) I would be a whole lot less irritated if we received something back. Moorabool has never supplied tip vouchers, hard rubbish collections just to name a couple of items. I also have an investment property in another shire, this current year decided to pay rated in instalments for the first time in years. When the time came for the first instalment I forgot due to a health scare and remembered the following week. I contacted the other shire asking if I would incur any penalty if I paid the first instalment immediately, they found it a really odd question and basically said don't be silly, no problem. When the same question was asked of the Shire I have contributed to for 35 years I got "when are you going to pay, as long as you pay it right now+As I say don't mind a reasonable contribution but I do feel like I was treated like crap. I would rather see my money spent on helpful things than sacrificing main st parking spaces for trees and replacing perfectly functional pavements with ones that look pretty. End of rant

Seems to me the outcome of B and C are largely the same. Chief difference is fees and charges rise yet there is no greater benefit in the form of Funding and Asset Renewal. Weighed against the greater cost to the resident I can't see any much reason to choose B over C. If C gave greater Funding and Asset renewal outcomes I would likely be in favour.

As a pensioner I don't need any rate increases so I'm sure most pensions would choose A simply because it would give

<p>the smallest increase although it's all too clear that would be of least benefit to all.</p> <p>Very interested in why the benefits of B and C are so similar.</p> <p>Thanks</p>
<p>There were only 3 options for rate increases on the voting card. I believe we need additional info regarding what is covered in all categories and what if any subsequent fees for user pays will be required. Can we also have a list of what services and fees are currently provided? What works are planned in the future also?</p>
<p>I understand there is a requirement to pay rates to maintain our current life style and environment, however, the constant rise in rates and daily life items to the everyday person is not sustainable. More and more people will default with payments as wages do not keep up with increases. This is a no win scenario. Increases should be kept to a minimum so council breaks just above even each FY.</p>
<p>Option A</p>
<p>I would like council to keep to Option A and keep rates capped at 2.5%. I live in Gordon and feel we don't get many services anyway compared with Bacchus Marsh. So I object to higher rates when we don't get much back in return. Perhaps council could be thinking even harder about cutting back on unnecessary spending.</p>
<p>The survey comes across as a threat, outlining a consequence to any decision, none of which are appealing. Neither option is fair on Rate Payers which costs of rates have risen every year anyway. Consolidating Council offices from 3 to 1 location would be a good start and perhaps looking at other areas council are wasting money on themselves such as this survey.</p>

7.2 Moorabool Shire Council - Election (Caretaker) Period Policy

Introduction

File No.: 02/01/002
Author: John Whitfield
General Manager: Satwinder Sandhu

Councils are now required to adopt an election period policy to openly explain to their communities how they will conduct their business immediately prior to an election.

Background

The *Local Government Amendment (Improved Governance) Act 2015*, was passed by Parliament in late October 2015. This legislation amended the *Local Government Act 1989* (the Act) in a range of areas. One of the important amendments to the Act relates to Section 93B, proclaimed in late December 2015, whereby Council is to adopt an election period policy by Thursday 31 March 2016.

Section 93B of the Act provides as follows:

93B Council to adopt an election period policy

- (1) *A Council must prepare, adopt and maintain an election period policy in relation to procedures to be applied by Council during the election period for a general election.*
- (2) *A Council must prepare and adopt an election period policy as required by subsection (1)—*
 - (a) *by 31 March 2016; and*
 - (b) *following the general election on 22 October 2016, continue to maintain the election period policy by reviewing and, if required, amending the policy not later than 12 months before the commencement of each subsequent general election period.*
- (3) *An election period policy must include the following—*
 - (a) *procedures intended to prevent the Council from making inappropriate decisions or using resources inappropriately during the election period before a general election;*
 - (b) *limits on public consultation and the scheduling of Council events;*
 - (c) *procedures to ensure that access to information held by Council is made equally available and accessible to candidates during the election.*
- (4) *A copy of the election period policy must—*
 - (a) *be given to each Councillor as soon as practicable after it is adopted; and*
 - (b) *be available for inspection by the public at the Council office and any district offices; and*
 - (c) *be published on the Council's Internet website maintained under Section 82A.*

- (5) *In this Section—*
inappropriate decisions made by a Council during an election period includes any of the following—
(a) *decisions that would affect voting in an election;*
(b) *decisions that could reasonably be made after the election.*

The next local general election for all councils will be held on Saturday 22 October 2016. In 2016, as in previous general elections, Moorabool Shire will be utilising postal voting pursuant to Section 41A (2A) of the Act. Postal voting closes at 6.00pm on Friday 21 October 2016.

The 'election period' is defined by the Act as starting on the last day for nominations and ending at 6pm on the Election Day. The last day for nominations is the day that is 32 days before the Election Day. In 2016 it commences from midnight on Tuesday 20 September 2016 and concludes at 6.00pm on Election Day, Saturday 22 October 2016

It is during this election period where certain prohibitions apply to the general functions and powers of Council.

Section 93A of the Act outlines the conduct of the council during an election period and has been in place since 2003. Section 93B of the Act adds to this in requiring an election period policy to be adopted.

To provide Councillors with an opportunity to review the draft Election (Caretaker) Period Policy prior to this meeting of Council, a briefing note was circulated to Councillors on Wednesday 9 March 2016.

Purpose

The Election (Caretaker) Period Policy (Policy) has been developed in order to facilitate the conduct of general elections in a manner that is ethical, fair and equitable, and are publicly perceived as such.

The Policy will also facilitate the continuation of the ordinary business of local government in the Moorabool Shire throughout the election (caretaker) period in a responsible and transparent manner, in accordance with statutory requirements and established 'caretaker' conventions.

This Policy also commits Council during the election (caretaker) period to:

- avoid making significant new policies or decisions that could unreasonably bind a future Council; and
- ensure that public resources, including staff resources, are not used in election campaigning or in a way that may improperly influence the result of an election, or improperly advantage existing Councillors as candidates in the election.

Proposal

It is proposed that with the development of a clear and consistent Policy, Council will openly explain to their communities how they will conduct their business immediately prior to an election. The Policy will explain key points including, but not limited to:

- Major policy decisions;
- Public consultation;
- Communication and publications;
- Council Resources;
- Media services; and
- Equitable Access to council information.

Policy Implications

The 2013 - 2017 Council Plan provides as follows:

Key Result Area	Representation and Leadership of our community
Objective	Good governance through open and transparent processes and strong accountability to the community.
Strategy	Ensure policies and good governance are in accordance with legislative requirements and best practice.

The proposal is consistent with the 2013-2017 Council Plan.

Financial Implications

There are no financial implications associated with the production and implementation of this policy.

Risk & Occupational Health & Safety Issues

Risk Identifier	Detail of Risk	Risk Rating	Control/s
Legislation requirements	Failure to comply to the Policy	Medium	Awareness campaign for Councillors and all Council staff.

Communications Strategy

A media release will be issued to advise the community of the content of the policy after its adoption. In accordance with Section 82A of the Act, the Policy will be published on Council's corporate website. Advertisements will be published in local and regional newspapers to notify the community of the caretaker arrangements closer to the period commencing.

All Councillors will be provided with a copy of the Policy immediately following its adoption by Council.

All Council staff will be fully briefed on the caretaker arrangements and provided supporting documentation and assistance both prior and during the period.

Victorian Charter of Human Rights and Responsibilities Act 2006

In developing this report to Council, the officer considered whether the subject matter raised any human rights issues. In particular, whether the scope of any human right established by the Victorian Charter of Human Rights and Responsibilities is in any way limited, restricted or interfered with by the recommendations contained in the report. It is considered that the subject matter does not raise any human rights issues.

Officer's Declaration of Conflict of Interests

Under section 80C of the *Local Government Act 1989* (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

General Manager – Satwinder Sandhu

In providing this advice to Council as the General Manager, I have no interests to disclose in this report.

Author – John Whitfield

In providing this advice to Council as the Author, I have no interests to disclose in this report.

Conclusion

In order to comply with Section 93B of the *Local Government Act 1989* and the statutory requirements and established 'caretaker' conventions associated with the election (caretaker) period from midnight on Tuesday 20 September 2016 until 6.00pm on Saturday 22 October 2016, it is recommended that Council adopt the Election (Caretaker) Period Policy (GO15/V1) as attached to this report.


Recommendation:

That Council:

- 1. in accordance with Section 93B of the *Local Government Act 1989*, adopts the Election (Caretaker) Period Policy (GO15/V1); and**
- 2. prepare a media release to advise the community of the content of the Election (Caretaker) Period Policy after its adoption.**

Report Authorisation

Authorised by:

Name: Satwinder Sandhu 
Title: General Manager Growth and Development
Date: Thursday, 17 March 2016

Attachment - Item 7.2

Policy No.:	G015	<i>G015 – Election (Caretaker) Period Policy</i>
Review Date:	31 August 2019	
Revision No.:	1	
Policy Manual Version No.:	001	
Adopted by:	Moorabool Shire Council	

1. Introduction

The Local Government Act 1989 ('the Act') provides that during the 'election period' certain prohibitions apply to the general functions and powers of Council. It is during this time that Council enters the caretaker period.

The 'election period' is defined by the Act as starting on the last day for nominations and ending at 6pm on the Election Day. The last day for nominations is the day that is 32 days before the Election Day.

The election period or caretaker period for the 2016 local government elections will commence at midnight on Tuesday 20 September 2016 and end 6.00pm on Saturday 22 October 2016.

This policy replaces and overrides any previous policy or document that refers to the caretaker period.

2. Purpose

The Election (Caretaker) Period Policy (Policy) has been developed in order to ensure that the general elections for the Moorabool Shire Council on Saturday 22 October 2016* and subsequent elections are conducted in a manner that is ethical, fair and equitable, and are publicly perceived as such.

*(In 2016, Moorabool Shire will be utilising postal voting which closes at 6.00pm Friday, 21 October 2016).

The Policy will also facilitate the continuation of the ordinary business of local government in the Moorabool Shire throughout the caretaker period in a responsible and transparent manner, in accordance with statutory requirements and established 'caretaker' conventions.

This Policy also commits Council during the caretaker period to:

- avoid making significant new policies or decisions that could unreasonably bind a future Council; and
- ensure that public resources, including staff resources, are not used in election campaigning or in a way that may improperly influence the result of an election, or improperly advantage existing Councillors as candidates in the election.

3. Definitions

Where terms used in this Policy are defined in the Act, their use in this Policy is consistent with the definitions in the Act. A number of relevant sections of the Act are included at Attachment 1.

Definitions used in this Policy which are not defined by the Act are:

Caretaker period - Has the same meaning as 'election period' in section 3(1) of the Act, and means the period that starts on the entitlement date and ends at 6pm on Election Day.

Publication - Includes any means of publication including letters and information on the Internet including social media.

Public consultation - Means a process that involves an invitation or invitations to individuals, groups or organisations or the community generally to comment on an issue, proposed action or proposed policy, and includes discussion of that matter with the public.

4. Application of Policy

Council will function in accordance with this Policy during the caretaker period commencing at midnight on 20 September 2016 and ending at 6pm on 22 October 2016.

4.1 Role of Chief Executive Officer

The Chief Executive Officer is responsible for determining any issues that arise in the implementation of this policy.

In addition to the Chief Executive Officer's (CEO) statutory responsibilities, the CEO or his or her delegate will ensure as far as possible, that:

- All Councillors and Officers are informed of the application of this policy at least 60 days prior to the commencement of the caretaker period;
- Matters of Council business requiring major policy or significant decisions are scheduled for Council to enable resolution prior to the commencement of the caretaker period, or deferred where appropriate for determination by the incoming Council; and
- Guidelines to staff on the role and responsibilities of staff in the implementation of this policy are issued if appropriate.

5. Decisions by Council

5.1 Major Policy Decisions

5.1.1 Definition

A **Major Policy Decision** is defined by the Act and means a decision:

- Relating to the employment or remuneration of a Chief Executive Officer(CEO) under Section 94, other than a decision to appoint an acting CEO;
- To terminate the appointment of a CEO under Section 94;
- To enter into a contract the total value of which exceeds circa \$240,000 (which represents 1% of the revenue from rates and charges levied under S 158 in the preceding year); or
- To exercise any entrepreneurial powers under section 193(5A) of the Act if the sum of the total investment involved and the total risk exposure assessed in respect of the proposal exceeds circa \$240,000.

5.1.2 Prohibition on Council

During the caretaker period, Section 93A of the Act prohibits Council making major policy decisions. Any major policy decision made during the caretaker period is deemed to be invalid under the Act.

5.1.3 Extraordinary Circumstances

If Council considers that there are extraordinary circumstances where the Moorabool Shire's community would be significantly disadvantaged by the Council not making a particular Major Policy Decision, the Council will, by resolution, request an exemption from the Minister for Local Government in accordance with section 93A(2) of the Act.

5.2 Inappropriate Decisions

During the caretaker period, Council will not make any inappropriate decisions. Section 93B of the Act defines these as decisions as those that would affect voting at an election or decisions that may unreasonably bind an incoming council and could reasonably be deferred until after the election.

6. Public Consultation

6.1 Right to Postpone

Some public consultation activities may be necessary during the caretaker period to facilitate the day to day business of Council and ensure matters continue to be proactively managed.

Any such public consultations will avoid express or implicit links to the election.

In view of the potential for a matter or issue to become contentious or politically sensitive in the course of the caretaker period, Council reserves the right to postpone a matter if the issue is likely to affect voting.

Council will not continue or commence public consultation on any contentious or politically sensitive matter after the commencement of the caretaker period.

6.2 Statutory Requirements

The requirements of Clause 6.1 do not apply to public consultation required under the Planning and Environment Act 1987, or matters subject to Section 223 of the Act.

7. Council Communications and Publications

7.1 Prohibition on Publishing Material during the Election Period

Section 55D of the Act prohibits Council from printing, publishing or distributing any advertisement, handbill, pamphlet or notice during an election period unless it has been certified, in writing, by the Chief Executive Officer. This power to certify cannot be delegated to another staff member.

The Chief Executive Officer must not intentionally or recklessly certify a publication that contains electoral matter, unless that material is only about the election process.

7.2 Certification of Publications

Publications to be printed, published or distributed during the caretaker period must first be certified by the Chief Executive Officer.

The certification by the Chief Executive Officer will be in writing on or affixed to a copy of the publication and be in the following form:

'Certified by the Chief Executive Officer in accordance with Section 55D of the Local Government Act 1989'.

Copies of all certified documents will be retained on Council records.

Publications which require certification include:

- Brochures, pamphlets, handbills, flyers, magazines and books;
- Reports (other than agenda papers and minutes in accordance with Section 7.7);
- Advertisements and notices, (includes Moorabool Matters) except newspaper notices of meetings;
- New website material;
- Social media publications (which includes Facebook and Twitter posts);
- Emails with multiple addresses, used for broad communication with the community;
- Mass mail outs or identical letters sent to a large number of people by or on behalf of Council;
- Media releases;
- Material to publicise a function or event; and
- Any publication or distribution of Councillors' speeches.

7.3 Prohibited Material

Electoral matter is defined in the Act and means any matter which is intended or likely to affect voting in an election, but does not include:

- Any electoral material produced by or on behalf of the returning officer for the purposes of conducting an election, or
- An advertisement in a newspaper announcing the holding of a meeting.

A publication is taken to contain electoral matter if it contains an express or implicit reference to, or comment on:

- The election; or
- A candidate in the election; or
- An issue submitted to, or otherwise before, the voters in connection with the election.

Electoral matter includes material which:

- Publicises the strengths or weaknesses of a candidate
- Advocates the policies of the Council or of a candidate
- Responds to claims made by a candidate
- Publicises the achievements of the elected Council.

7.4 Council Publications Including Councillor Information

Any reference to Councillors standing for re-election in Council publications printed, published or distributed during a caretaker period must not include promotional text.

7.5 Website

Material published on Council's website in advance of the caretaker period is not subject to certification, however existing material that is prominently displayed will be reviewed and consideration given to the removal of any such material that would be considered electoral matter, were it to be published during the caretaker period.

Councillor profiles on the Council website will be limited to a photograph and contact details. Other communication from a Councillor via the Council website will be removed.

Any material published on Council's website during the caretaker period must be certified by the Chief Executive Officer.

7.6 Annual Report

Council is required by the Act to produce and put on public display a copy of its Annual Report. The 2015/16 Annual Report will be published during the election period. The Annual Report will not contain any material that could be regarded as overt electioneering or that inappropriately promotes individual Councillors.

The Annual Report does not require certification by the Chief Executive Officer, however any publication of an extract or summary of the Annual Report will require certification.

7.7 Council and Committee Agendas and Minutes

Agenda papers and minutes of Council and Committee meetings do not require certification by the Chief Executive Officer unless they are printed or published for a wider distribution than normal.

Items submitted for Public Question Time will be reviewed to ensure that they comply with the principles of the Act and this Policy, and may be amended accordingly before publication.

7.8 Social Media

Any publication on social media sites including Facebook, Twitter, blogs and wiki pages during the election period must be certified by the Chief Executive Officer.

Staff responsible for administering individual social media sites will monitor their respective sites during the caretaker period and use moderation features where available to ensure no electoral matter is posted.

7.9 Review of Publications

Council will review all publications prior to the commencement of the caretaker period, and during the caretaker period, prior to publication and distribution, to ensure that any such publications comply with the requirements of section 55D.

8. Functions/Events

Any event or function held during the caretaker period shall relate only to legitimate Council business and shall not be used, or be capable of being construed as being used, in connection with any election activity.

All speeches prepared for use at events or functions shall be reviewed by the Council Governance Coordinator or Chief Executive Officer, to ensure the content does not breach this Policy or the Local Government Act 1989. Any publication or distribution of Councillor's speeches by the Council must be subject to the certification process.

Councillors may make a speech during any event or function, however the speech must not have any political reference which may be construed as providing a current Councillor any advantage during the election period. Such speeches will not be circulated or available for publication.

Functions or events for the purpose of electioneering must not be resourced or publicised by the Council.

9. Council Resources

9.1 Application of Resources

Council resources, including offices, vehicles, staff, hospitality, services, property, equipment and stationery must be used exclusively for normal Council business during the caretaker period and must not be used in connection with any election campaign or issue.

9.2 Role of Staff

Executive Assistants, Governance staff, or any other staff member, will not undertake any tasks connected directly or indirectly with the election campaign of a Councillor standing for re-election or any candidate standing for election.

Council staff will not authorise, use or allocate a Council resource for any purpose that may influence voting in the election, except where it only relates to the election process and is authorised by the Chief Executive Officer.

Prior to the election period for any election the Chief Executive Officer will ensure that all members of Council staff are advised in regard to the application of the caretaker procedures.

Any staff member who considers that a particular use of Council resources may influence voting in an election or provide an undue advantage for a candidate should advise their manager before authorising, using or allocating the resource. The manager will seek appropriate advice in order to ascertain whether the use of Council resources is in accordance with this statement.

9.3 Use of Council Equipment by Councillors

Councillors may continue to use any Council equipment provided to them to facilitate their performance of normal Council duties, subject to existing protocols and terms of use. Councillors standing for re-election must not use Council equipment as a resource to assist with election campaigns. This includes laptops, iPad, notepads, telephone land lines, mobile phones, email addresses, and internet connections.

9.4 Councillors' Entitlement to Reimbursement

Reimbursements of Councillors' out-of-pocket expenses during the caretaker period will only apply to costs that have been incurred in the performance of normal Council duties, and not for expenses that support or are connected with a candidate's election campaign. Claims shall conform with requirements set out in the Councillors and Members of Council Committees Expense Entitlements and Resources Policy.

9.5 Council Branding

No Council logos, letterheads, or other corporate branding will be used for, or linked in any way to, a candidate's election campaign.

9.6 Cessation of Ward Specific Publications

Ward-specific publications, or Councillor profiles and articles in the Moorabool Matters, will not be arranged by Council during the election period.

9.7 Officers' Discretion

The Council will ensure that due propriety is observed in the use of all Council resources, and Council staff are required to exercise appropriate discretion in that regard. Where the use of Council resources appears to relate to the election campaign of a Councillor standing for re-election, the matter must be referred to the Chief Executive Officer or his or her delegate.

10. Media Services

10.1 Restriction on Services

Council's Communications team undertake the promotion of Council activities and initiatives. During the election period this team's services must not be used in any way that might promote a Councillor as an election candidate.

Council publicity during the election period will be restricted to communicating normal Council activities and initiatives and subject to certification by the Chief Executive Officer.

10.2 Media Releases/Spokespersons

Media releases will minimise references to specific Councillors and will not identify any Councillor in a manner that could promote a Councillor as an election candidate.

In the event that a spokesperson is required in relation to any publication or communication, the Chief Executive Officer will fulfil that role.

Media releases will require certification by the Chief Executive Officer.

10.3 Councillors

Councillors will not use their position as an elected representative or their access to Council Officers and other Council resources to gain media attention in support of an election campaign.

10.4 Council Employees

During the election period no Council employee may make any public statement that relates to an election issue unless prior approval has been obtained by the Chief Executive Officer or his or her delegate.

11. Information

11.1 Candidates' Access to Information

All election candidates have equal rights to information relevant to their election campaigns from the Council administration. While it is important that sitting Councillors continue to receive information that is necessary to fulfil their existing elected roles, neither Councillors nor candidates will receive information or advice from Council officers that may improperly advantage candidates in the elections (which includes internal publications such as the Councillor Information Bulletin (CIB)).

There will be complete transparency in the provision of all information and advice during the caretaker period.

Requests for clarification relating to the provision of information should be directed to the Council Governance Coordinator who may refer the request to the Chief Executive Officer or his or her delegate.

11.2 Information Request Register

Governance will maintain an Information Request Register during the caretaker period. This Register will be a public document that records all requests relating to electoral matters and non-routine requests for information by Councillors and candidates, and the responses given to those requests.

11.3 Improper Use of Position

Sections 76D and 76E of the Act prohibit Councillors from misusing or inappropriately making use of their position. A breach of section 76D attracts serious penalties, including possible imprisonment.

12. Assistance to Candidates

12.1 Candidate Information

Council will provide candidates with a Councillor Candidate Information Kit to assist them in running and nominating for Council.

Candidates will be informed of their obligation to complete a Nomination Form which will be available from the Returning Officer, accompanied by the nomination fee of \$250.

Candidates will also be informed of the requirements to complete and submit an Election Campaign Return to the Chief Executive Officer within 40 days after the election day (refer S 62 of the Act). The return must contain details of any campaign donation or gift valued at more than \$500 which was received between 30 days after the last general election and 30 days after the current election.

12.2 Advice to Candidates about the election process

All election related enquiries from candidates, whether current Councillors or not, will be directed to the Returning Officer, or where the matter is outside of the responsibilities of the Returning Officer, to the Chief Executive Officer or his or her delegate.

Councillors may use the title "Councillor" in their election material, as they continue to hold their positions for the period.

Councillors are advised that any election publication using the title "Councillor" clearly indicates that it is their own material and does not represent Council.

All candidates for the Council election will be treated equally. Any advice to be provided to candidates as part of the conduct of the Council election should be provided equally to all candidates.

13. Council Plan Reference – Key Performance Area

Key Result Area	Representation and Leadership of our Community
Objective	Good governance through open and transparent processes and strong accountability to the community.
Strategy	Ensure policies and good governance are in accordance with legislative requirements and best practices.

14. Review

In accordance with Section 93A of the Act, this policy will be reviewed and, if required, amended not later than 12 months before the commencement of each general election period. In order to comply with this requirement, Council will review this policy by 31 August in the year preceding each general election.

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Relevant Sections from the Local Government Act 1989

Section 55D Prohibition on Council

- (1) A Council must not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, any advertisement, handbill, pamphlet or notice during the election period unless the advertisement, handbill, pamphlet or notice has been certified, in writing, by the Chief Executive Officer.

- (1A) For the purposes of subsection (1), the publication of a document of a kind specified in that subsection does not include- (a) publication of any document published before the commencement of the election period; and (b) publication of any document required to be published in accordance with, or under, any Act or regulation.

Note: See definitions of publish in section 3(1) and document in section 38 of the Interpretation of Legislation Act 1984.

- (2) The Chief Executive Officer must not intentionally or recklessly certify an electoral advertisement, handbill, pamphlet or notice during the election period unless it only contains information about the election process.

Penalty: 60 penalty units.

- (3) Despite section 98(2), the Chief Executive Officer must not delegate the power to certify any advertisement, handbill, pamphlet or notice under this section to a member of Council staff.
- (4) A Councillor or member of Council staff must not intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed an electoral advertisement, handbill, pamphlet or notice during the election period on behalf of, or in the name of, the Council or on behalf of, or in the name of, a Councillor using Council resources if the electoral advertisement, handbill, pamphlet or notice has not been certified by the Chief Executive Officer under this section.

Section 3(1) Definitions

election period, in relation to an election, means the period that-

- (a) starts on the last day on which nominations for that election can be received; and
- (b) ends at 6 p.m. on election day;

electoral advertisement, handbill, pamphlet or notice means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper announcing the holding of a meeting;

publish means publish by any means including by publication on the Internet;

- (1A) In this Act, "electoral matter" means matter which is intended or likely to affect voting in an election but does not include any electoral material produced by or on behalf of the returning officer for the purposes of conducting an election.
- (1B) Without limiting the generality of the definition of electoral matter, matter is to be taken to be intended or likely to affect voting in an election if it contains an express or implicit reference to, or comment on-
- (a) the election; or
 - (b) a candidate in the election; or
 - (c) an issue submitted to, or otherwise before, the voters in connection with the election.

Section 76B Primary principle of Councillor conduct

It is a primary principle of Councillor conduct that, in performing the role of a Councillor, a Councillor must-

- (a) act with integrity; and
- (b) impartially exercise his or her responsibilities in the interests of the local community; and
- (c) not improperly seek to confer an advantage or disadvantage on any person.

76BA General Councillor conduct principles

In addition to acting in accordance with the primary principle of Councillor conduct specified in section 76B, in performing the role of a Councillor, a Councillor must-

- (a) avoid conflicts between his or her public duties as a Councillor and his or her personal interests and obligations;
- (b) act honestly and avoid statements (whether oral or in writing) or actions that will or are likely to mislead or deceive a person;
- (c) treat all persons with respect and have due regard to the opinions, beliefs, rights and responsibilities of other Councillors, Council staff and other persons;
- (d) exercise reasonable care and diligence and submit himself or herself to the lawful scrutiny that is appropriate to his or her office;
- (e) endeavour to ensure that public resources are used prudently and solely in the public interest;

- (f) act lawfully and in accordance with the trust placed in him or her as an elected representative;
- (g) support and promote these principles by leadership and example and act in a way that secures and preserves public confidence in the office of Councillor.

76D Misuse of position

- (1) A person who is, or has been, a Councillor or member of a special committee must not misuse his or her position-
 - (a) to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
 - (b) to cause, or attempt to cause, detriment to the Council or another person.600 penalty units or imprisonment for 5 years or both.
- (2) For the purposes of this section, circumstances involving the misuse of a position by a person who is, or has been, a Councillor or member of a special committee include-
 - (a) making improper use of information acquired as a result of the position he or she held or holds; or
 - (b) disclosing information that is confidential information within the meaning of section 77(2); or
 - (c) directing or improperly influencing, or seeking to direct or improperly influence, a member of Council staff in contravention of section 76E; or
 - (d) exercising or performing, or purporting to exercise or perform, a power, duty or function that he or she is not authorised to exercise or perform; or
 - (e) using public funds or resources in a manner that is improper or unauthorised; or
 - (f) failing to disclose a conflict of interest as required under this Division.
- (3) This section-
 - (a) has effect in addition to, and not in derogation from, any Act or law relating to the criminal or civil liability of Councillors or members of special committees; and
 - (b) does not prevent the institution of any criminal or civil proceedings in respect of that liability.

76E Improper direction and improper influence

- (2) A Councillor must not direct, or seek to direct, a member of Council staff-
- (a) in the exercise of a delegated power, or the performance of a delegated duty or function of the Council; or
 - (b) in the exercise of a power or the performance of a duty or function exercised or performed by the member as an authorised officer under this Act or any other Act; or
 - (c) in the exercise of a power or the performance of a duty or function the member exercises or performs in an office or position the member holds under another Act; or
 - (d) in relation to advice provided to the Council or a special committee, including advice in a report to the Council or special committee.

Penalty: 120 penalty units.

93A Conduct of Council during election period

- (1) Subject to this section, a Council, a special Committee or a person acting under a delegation given by the Council must not make a major policy decision during the election period for a general election.
- (2) If a Council considers that there are extraordinary circumstances which require the making of a major policy decision during the election period, the Council may apply in writing to the Minister for an exemption from the application of this section to the major policy decision specified in the application.
- (3) If the Minister is satisfied that there are extraordinary circumstances, the Minister may grant an exemption from the application of this section to the major policy decision specified in the application subject to any conditions or limitations that the Minister considers appropriate.
- (4) A major policy decision made in contravention of this section is invalid.
- (5) Any person who suffers any loss or damage as a result of acting in good faith on a major policy decision made in contravention of this section is entitled to compensation from the Council for that loss or damage.
- (6) In this section, a "major policy decision" means any decision-
 - (a) relating to the employment or remuneration of a Chief Executive Officer under section 94, other than a decision to appoint an acting Chief Executive Officer;

- (b) to terminate the appointment of a Chief Executive Officer under section 94;
- (c) to enter into a contract the total value of which exceeds whichever is the greater of:
 - (i) \$100 000 or such higher amount as may be fixed by Order in Council under section 186(1); or
 - (ii) 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year;
- (d) to exercise any power under section 193 if the sum assessed under section 193(5A) in respect of the proposal exceeds whichever is the greater of \$100 000 or 1% of the Council's revenue from rates and charges levied under section 158 in the preceding financial year.

93B Council to adopt an election period policy

- (1) A Council must prepare, adopt and maintain an election period policy in relation to procedures to be applied by Council during the election period for a general election.
- (2) A Council must prepare and adopt an election period policy as required by subsection (1).
 - (a) by 31 March 2016; and
 - (b) following the general election on 22 October 2016, continue to maintain the election period policy by reviewing and, if required, amending the policy not later than 12 months before the commencement of each subsequent general election period.
- (3) An election period policy must include the following.
 - (a) procedures intended to prevent the Council from making inappropriate decisions or using resources inappropriately during the election period before a general election;
 - (b) limits on public consultation and the scheduling of Council events;
 - (c) procedures to ensure that access to information held by Council is made equally available and accessible to candidates during the election.
- (4) A copy of the election period policy must.
 - (a) be given to each Councillor as soon as practicable after it is adopted; and
 - (b) be available for inspection by the public at the Council office and any district offices; and
 - (c) be published on the Council's Internet website maintained under section 82A.

(5) In this section-

inappropriate decisions made by a Council during an election period includes any of the following-

- (a) decisions that would affect voting in an election;
- (b) decisions that could reasonably be made after the election.

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8. FURTHER BUSINESS AS ADMITTED BY UNANIMOUS RESOLUTION OF COUNCIL

9. CLOSED SESSION OF THE MEETING TO THE PUBLIC**Recommendation:**

That pursuant to the provisions of the Local Government Act 1989, the meeting now be closed to members of the public to enable the meeting to discuss matters, which the Council may, pursuant to the provisions of Section 89(2) of the Local Government Act 1989 (the Act) resolve to be considered in Closed Session, being a matter contemplated by Section 89(2) of the Act, as follows:

- (a) personnel matters;
- (b) the personal hardship of any resident or ratepayer;
- (c) industrial matters;
- (d) contractual matters;
- (e) proposed developments;
- (f) legal advice;
- (g) matters affecting the security of Council property;
- (h) any other matter which the Council or special committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public

10. MEETING CLOSURE